

FOURTH ANNUAL REPORT

OF THE

CONTROLLER OF COUNTY ACCOUNTS.

FEBRUARY, 1891.

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Commonwealth of Massachusetts.

SECRETARY'S DEPARTMENT, BOSTON, Feb. 3, 1891.

HON. WILLIAM E. BARRETT,
Speaker of the House of Representatives.

SIR: — In compliance with section 7, chapter 440, Acts of 1889, I have the honor to transmit to the General Court the Fourth Annual Report of the Controller of County Accounts.

Respectfully,

WM. M. OLIN,
Secretary of the Commonwealth.

Commonwealth of Massachusetts.

OFFICE OF THE CONTROLLER OF THE ACCOUNTS OF COUNTY OFFICERS,
OFFICERS OF INFERIOR COURTS AND TRIAL JUSTICES,
No. 9 PARK STREET, BOSTON, Feb. 1, 1891.

To the Honorable Senate and House of Representatives.

In compliance with law, I have the honor to submit my fourth annual report. Many recommendations made last year were favorably considered by the Legislature, and several acts were passed which will, I believe, result in an improved service to the counties.

I renew a few suggestions of legislation which seem to me important. For three years attention has been called to the fact that the police court of Williamstown, a court not having a clerk appointed by the Governor, has exercised the jurisdiction of naturalizing aliens. By the return for the year 1890, it appears this practice still continues. I believe that the justice of said court has appointed a clerk under the provisions of section 6 of chapter 154 of the Public Statutes; and Attorney-General Waterman gave an opinion that, "when such clerk has been appointed and sworn, and while he is by the justice continued in his office as clerk, such court becomes, under the act of Congress of April 14, 1802, a court of record having common law jurisdiction, and having a seal and clerk; and has power to receive declarations of aliens, and, on application, to admit them to become citizens; but without such clerk they have not the power." This seems to be the doctrine laid down in *ex parte* Gladhill, 8 Met. But this doctrine is not accepted by the inferior courts of the State generally, no other one than above referred to attempting to naturalize

aliens. By this decision it seems a court may or may not naturalize aliens, according to the discretion of the justice as to appointing a clerk.

The police court of Williamstown is a court which by law is not required to have a clerk. The United States Statutes provide that a court shall have a seal and a clerk, to authorize it to exercise this jurisdiction. The supreme court of Maine and the United States district court for the district of Maine, have decided that courts established precisely as our police, district and municipal courts are, have no power to naturalize. In view of these decisions, I submit, with great deference, that the question may well be re-examined by the General Court.

1. There are four district courts in Worcester County, not having clerks. If they can naturalize aliens, it would be a public convenience for them to do so. Moreover, if they have the right, then the central district court of Worcester has not the right to naturalize any person residing within the territorial jurisdiction of those four courts.

2. Special justices of inferior courts do not in all cases state upon the record, or cause to be stated, the fact which alone gives them jurisdiction to sit in a case, or hold an inquest. I find vouchers for large sums paid by counties to special justices for holding inquests, where there is not the slightest information on the record as to why the standing justices did not perform this duty as a part of their ordinary work. The supreme court has, in 151 Mass., decided this question.

3. Forbid county officers from selling goods or supplies to the county, or to any county institution, or from being interested in any county contract or work.

4. The act of 1890, requiring public officers to deposit public funds as trustees, has not been fully complied with. Large sums are turned over to treasurers on the personal checks of the official. The law needs a penalty to it. All clerks of the higher and lower courts are subject to removal for cause by the justices of the supreme judicial court. If the non-compliance with this law relating to trust funds were made a specific cause for summary removal, the remedy would be effectual.

5. I recommend a like penalty for not complying with the law relating to returns by public officers to this office. Officers are now allowed fifteen days to do this work, and I am allowed the same time in which to examine and compile the returns and make the annual report. Many of the officers in the largest counties make their returns on the first day after they become due. There is no excuse for any officer, except shiftlessness. Why should not public officers obey the law?

6. I recommend that, when an officer resigns his office, he shall not be paid the final installment of his salary until he shows the treasurer of his county a statement, from the proper source, that all returns are made to the date of resignation.

7. And where an officer dies or absconds, let a law be passed that the successor to the office be required to make the returns so far as they can be made from the books and files of the office. Of course the new officer should be required only to swear to the accuracy of such returns as made from the books and files.

8. These suggestions are made in view of the defalcation of the late clerk of the police court of Brockton, Charles W. Robinson. The law of last year made it a misdemeanor for a clerk to omit, for ten successive days, to write up his cash book. My deputy visited Robinson late in March, 1890. The absconding took place in October. It was found that not a word or figure had been written in the cash book since about the time of the examination in March. The judicial records of the court were also wanting in completeness. The superior court was about to sit in Plymouth County, and the justice of the police court of Brockton, with the aid of a clerk *pro tem.*, had to make up the appeals and grand jury cases as best they could. Justices of the inferior courts may well require their clerks to hand up for frequent inspection both the financial and judicial records of their courts; and, when they find their clerk running a bucket shop, as Robinson did, his resignation should be promptly demanded.

The importance of frequent accounting, as required by the law of last year, is illustrated by this Brockton case.

If the officials of that city had obliged him to make the quarterly payments, according to law, he could not have got away with much of the city's funds. I am glad to say I believe the loss to Brockton will not be very large. The amount due the county, after the best examination I am able to make, was about \$805, and this is fully covered by a bond. The amount due was for fines accruing to the county, less fees advanced to witnesses, after July 1, 1890. The fees due the county October 1 were not paid. Those due on or before July 10, for the quarter ending June 30, were not paid till September.

Whether more energetic action on the part of the treasurer of the county would have produced better results, is not for me to say. I do say, however, that the statute provision requiring the treasurer of a county to notify the district attorney when an officer is derelict for ten days in payment of funds due the county, is not a very efficient remedy, for obvious reasons. I am not sure it would not be better to require the treasurer to notify the sureties on the bond of the derelict officer. I ought to say that the Brockton clerk gave this office a great deal of trouble. His accounts always bore the impress of much tinkering, and in one case he confessed in writing that his annual return "was rotten." I then caused him to make a detailed statement of the balance in his hands; and, after receiving that statement, caused thorough examination of his vouchers to be made, when, in order to pass that examination, he presented to my deputy a forged receipt for something over a thousand dollars. This receipt was on the regular printed blank of the treasurer of Brockton, and was not detected till after the absconding of the clerk. Inquiry was early made of the then Justice Sumner of that court, of the city clerk, and of other leading citizens of Brockton, all of whom spoke in highest terms of Robinson, and did not think his removal should be asked for. They deemed him careless and negligent, but not dishonest. Under all circumstances, I did not think I ought to take the initiative for his removal. I now think I made an error in not exposing him as soon as he was found in a bucket shop. After his absconding he was summarily removed

by the justices of the supreme judicial court, on petition of the judge of the police court of Brockton.

In examining the files of the court, it was found that Robinson had done what is said to have been done by a former clerk of the municipal court of Boston for criminal business; to wit, had entered cases as “committed,” when in fact the defendants in such cases had paid fines and costs. The presence or absence, in the files, of a mittimus, ordinarily determines whether a defendant has been committed. To make it sure, I recommend that, in all cases where a party is committed to any penal institution whatever, the officer in charge for the time being be required to receipt upon the original mittimus for the prisoner named therein. Then there would have to be collusion between the clerk or magistrate, and the committing officer, and the officer in charge of the prison, before this particular scheme of robbery could be made operative. A suggestion was made last year that a separate receipt be required; but this would be multiplying papers, which would be liable to be lost or mislaid, and would be considered burdensome. I learn that the practice exists in some courts for the committing officer to make a copy of the mittimus, and leave the original with the clerk. It seems to me this practice is both illegal and dangerous. If the prisoner, in the hands of an officer with no precept except a copy attested by himself, should escape, it would hardly be an “escape” in law; and, if the officer should be killed, it would hardly be murder.

BONDS.

As the money now received by clerks and justices of inferior courts is mainly payable to cities and towns, and not to counties, it is important to inquire whether the bonds, as now conditioned, are broad enough to cover all contingencies.

EXAMINATION OF BONDS.

Chapter 32 of the Acts of 1885 provides for the examination annually of all official bonds which are in the custody of the Treasurer and Receiver-General; but I do

not find any law requiring any examination of the official bonds which are in the custody of county treasurers. As these are far more numerous than any other official bonds, it would seem important that they should be carefully examined at least once a year. Clerks of courts, clerks of the inferior courts, justices of such courts not having clerks, trial justices, registers of deeds, and it may be other officials, deposit their bonds with county treasurers. I recommend that these bonds be examined by some proper authority at least once each year.

CRIMINAL COSTS.

The legislation of 1890, on the subject of criminal costs, has been in practical operation only about four months, and therefore has not been fully tested. Before discussing chapter 440 of that year, which related mainly to fees and expenses in what are known as the inferior courts and before trial justices, I desire to call attention to the work done by these courts, — to their scope and their limitations. So much of the territory of the several counties has been assigned to police, district and municipal courts, that the policy of the Commonwealth must be deemed to be settled. The counties of Berkshire, Hampden, Hampshire, Plymouth, Bristol and Barnstable, are substantially all divided into police and district courts. There are two or three trial justices in Berkshire, and one in Hampden. Worcester, Middlesex and Essex are very largely divided into police and district courts, Middlesex having but two or three trial justices. Norfolk has but two inferior courts, while all the municipal courts are in Suffolk. Franklin and the Island counties are the only ones where an inferior court has not been established.

Why there is all this variety of titles to courts which have almost precisely the same jurisdiction, is not very clear. To a stranger the system would seem complex, whereas it is very simple. It will puzzle any one to tell why Worcester and Salem have district courts, while Springfield, Fitchburg and Lowell, and all the cities in Essex except Salem, have police courts, leaving Boston exclusively to maintain municipal courts. At the next

breaking up of the present system, it seems to me only one title to the inferior courts should be established.

ARRESTS IN 1889.

These were 83,116 in number, an increase over the year 1888 of 6,879. The number of prosecutions begun in 1889 was 88,430. If we assume our population in that year to be 2,200,000, then one in every 26 of our population was arrested for some offence. I use the statistics of 1889, because the census and prison commissioners' report for 1890 are not yet available.*

Arrests, where made.

Of the 83,116 arrests in 1889, there were 72,184 in cities and towns of more than 10,000 inhabitants, and only 10,932 in all the other 320 towns. We had, in 1889, 26 cities and 5 towns having more than 10,000 inhabitants, and 32 towns having each more than 5,000. I think it safe to say that, in towns of less than 5,000 inhabitants, not over 5,000 arrests were made that year.

ARRAIGNMENTS.

Of the 88,430 prosecutions begun in 1889, 83,562 were in the inferior courts, i. e., in police, district and municipal courts, and before trial justices, while only 4,868 were in the superior court.

The arraignments in that court were	. . .	3,391
Indictments, . . . . .	. . .	1,596
"No bills," . . . . .	. . .	338
Pleas of guilty, . . . . .	. . .	1,901
Jury trials, . . . . .	. . .	1,412
Verdicts of guilty, . . . . .	. . .	862
Disagreements of juries, . . . . .	. . .	86
Quashed or <i>not prossed</i>, . . . . .	. . .	687
Placed on file, . . . . .	. . .	1,092
Sentenced, . . . . .	. . .	2,227

The sentences in the inferior courts for the same time were 66,703, or 30 times as many as in the superior court. The fines and costs paid in the inferior courts were \$308,-260.03; in the superior court were \$47,838.03.

* Arrests in 1890, 80,844
Population in 1890, 2,238,943

Of course, in the superior court, sentences are more generally to imprisonment than in the lower courts; but still it is apparent that the vast bulk of criminal business in this State is done in the inferior courts. How to make these the most efficient, and at a cost the nearest to the minimum "which can be reached without detracting from the character of our institutions," is the problem to be solved.

Without repeating or going into the details of criminal costs, which may be found at some length in my second and third reports, I will say that, after examining vouchers in the courts and in the county treasuries for three years, I was satisfied that the fee system, as a basis of compensation of officers for serving criminal process, was the real cause of what Governor Butler called the "enormous and increasing expenses attending the administration of the criminal law of this State." I was equally well satisfied that, so long as that system continued, the courts would be crowded with what Governor Andrew called "prosecutions of no public utility," to be increased annually by what that great magistrate called the "creation of new and artificial offences," until there should be full justification for the remark that, "to people out of the State, who look to the number only of our criminals, it would almost appear that criminal offences with us are a State industry."

With these facts in view, the bill which became chapter 440 of the laws of 1890 was recommended to the Legislature. Its avowed object was to cut off all fees of officers who received a salary or regular per diem pay; to abolish costs, as such, and require fines to be large enough to make a suitable pecuniary penalty for an offence; and to cast upon towns and cities the burden of supporting their own police, giving to them, in return for this burden, such fines and forfeitures as should accrue in the inferior courts. Chapter 440 is broad and sweeping, and yet it contains nothing new nor revolutionary. For a century the main principle of the act has been upon the Statute book.

The burden of the expense of criminal prosecutions has been gradually shifting from the State to the counties, from the counties to the towns and cities, till now such towns and cities are compelled to pay a large portion of the

expense of minor criminal offences committed within their borders. This is the condition of things repeatedly recommended by Governor Banks and Governor Andrew, from whose messages to the Legislatures I extract the following:—

“It is apparent that we should either admit a great increase of crime, or re-organize our system of criminal costs. The difference in expense is immaterial, compared with the injury inflicted upon the name of the State. These numerous arrests are regarded elsewhere as evidence of the failure of our system of civilization. The remedy for both the moral and the financial evil is to place the responsibility where the crime is found, whether actual or factitious. Ignorance promotes crime; and, when towns and counties find themselves charged with its consequences, they will seek a remedy. Education, police supervision, friendly advice, reformatory associations and pulpit instruction, will be resorted to for the removal of an evil which is too lightly regarded where communities do not feel that they are responsible for it.” This by Governor Banks.

Said Governor Andrew: “The payment of trial justices by salary, requiring all their fees to be paid into the public treasury; the bringing the subject home more to the people, by charging the costs of prosecuting minor offences upon the towns instead of the counties, and practising greater care in the creation of new and artificial offences, somewhat abundant in modern legislation, would all tend to diminish costs by limiting prosecutions.”

Chapter 440 has reorganized our system of criminal costs. Those costs are now distributed as follows: the State pays the salaries of the justices of the higher courts, of the Attorney-General, of the district attorneys and of the district police. The counties pay all salaries of judges and clerks of the inferior courts, of clerks of courts, of trial justices when not paid by fees collected of defendants, of jurors and officers in the higher courts, the incidental expenses of all courts and of trial justices, and all witness fees. The towns and cities, within the jurisdiction of any inferior court, now pay all the fees and expenses of officers

in all criminal prosecutions in those courts, and receive all fines and forfeitures imposed and paid in those courts. Heretofore, towns and cities have been charged only with the expense of enforcing their own by-laws and ordinances, of fire inquests, and substantially the expense in trials of juvenile offenders. In 1890 the State took another long step in advance, to suit the changes made necessary by our growth and increase in criminal business. We have seen where that business is mainly done, and yet, until last year, the inferior courts were enjoined by the statutes to conform their proceedings to those of trial justices, so far as practicable. There has been no real change in the practice of trial justices for a hundred years. Truly we have outgrown that system. The constable with his warrant and his fee was adapted to the wants of the people in the eighteenth century. At that time few arrests were made without warrants; now, nine men out of ten brought into our criminal courts are brought without warrants. The law is so, and has to be so. The new index to the Statutes contains nearly a page of titles to offences for the committing of either of which a person may be arrested at sight. The protection of the citizen is in the obligation of the officer to forthwith take the person arrested to some court or magistrate, where complaint must be made.

The machinery for doing this vast court business has been increased and improved in due proportion. The cities and large towns now have their salaried police force, with all the modern improvements, from the city marshal to the patrol wagon, the prison van and the steamboat, for transporting the prisoners to and from the courts and penal institutions.

With this right and necessity to arrest without warrants, comes the obvious necessity of vesting in the police the right or rather the habit of summoning such witnesses, and as many, as they please, to substantiate the charges made against those brought into court. With this discretion lodged in the police, there is every incentive to an excess of zeal. I intend no general impeachment of the peace officers of the Commonwealth. What I do assert is, that, while human nature remains to man, great wrongs

and abuses will creep into a system that tolerates fees as a basis for compensation for services.

Promotion from the reserve to the regular force; comfort of the old officer worn out in the service, through the police fund made up of witness fees; the reappointment of the chief depending upon "the earnings of the department;" the receipt of the lock-up fee as part of the salary or income of the city marshal,—these are some of the evils of the fee system, which, in my judgment, greatly tend to stimulate arrests, to multiply frivolous and "artificial" complaints, to fill lock-ups, and to crowd court rooms with superfluous and supernumerary witnesses, the unnecessary expense of all which heretofore has been paid by defendants or by the counties.

It is claimed for chapter 440 that a remedy has been found for these evils just enumerated. Frivolous complaints may still be brought, but, in case they fail, towns and cities must pay all the expenses of the officers' services. This will lead to careful examination before prosecutions are instituted. Every officer fit to hold a place on a police force, knows that, to prevail, the charge must be proved beyond a reasonable doubt. The town or city counsel will now be consulted before the town constable, and, unless there be a *prima facie* case, no complaint will be made. Cities and towns will be compelled to pay their police a reasonable compensation, or else the fees as now prescribed by law. If local officers are derelict, deputy sheriffs, district police and constables from other municipalities may be called in, and the fees and expenses of these outside officers must be paid by the towns and cities whose officers are remiss. And behind all is the grand jury, to be resorted to as occasion may require.

RESULTS OF THE NEW LAW.

So far as results are now apparent, I believe the new law is working well. It was to be expected that an act so sweeping would develop weak spots, and require amendment and modification. A system that has stood a hundred years cannot be changed without some friction and some opposition.

REDUCTION OF CRIMINAL BUSINESS.

Something has caused a reduction in criminal business in the various courts. The following table will speak for itself:—

JAIL OR HOUSE OF CORRECTION, LOCATION.	Number of Prisoners, 1890.	Number of Prisoners, 1891.
New Bedford,	257	207
Plymouth,	67	36
East Cambridge,	543	430
Dedham,	111	148
South Boston,	568	537
Northampton,	49	33
Salem,	170	156
Boston (jail),	144	155
Pittsfield,	100	77
Fitchburg,	152	91
Greenfield,	27	35
Springfield,	313	226
Ipswich,	177	161
Barnstable,	9	12
Lowell,	95	94
Newburyport,	17	17
Taunton,	66	50
Lawrence,	226	210
Worcester,	216	172
Boston (Deer Island),	1,144	922
Total,	4,451	3,769

The per cent. of decrease in the year 1891 is $15\frac{1}{2}$. By this it appears that, on Jan. 1, 1891, our county prisons contained 682 inmates less than on Jan. 1, 1890, a falling off of 15 per cent. The number of commitments for drunkenness in the prison year 1889 was more than 75 per cent. of the whole number of commitments, as stated in the prison commissioners' report for that year. The commissioners add: "In view of these facts, it may be well to consider if it is not possible to dispose of many cases of drunkenness in some other manner than is now permitted by law. Nearly all of the commitments for drunkenness are for non-payment of fines and costs; and it does not seem to be a wise policy to support a man for a month, in the attempt to enforce the payment of a fine of five dollars."

The new law clearly operates in the direction pointed out by the commissioners. The penalty for first offense of drunkenness, under the new law, is substantially five dollars throughout the State. It proves to be a sort of golden mean. More men pay than under the old regime, and the counties support less, and the bread-winner is at large and at work for his family.

FEWER APPEALS.

It is also found that appeals to the superior court are less in number, since Oct. 1, 1890, than for the corresponding time in 1889. The sittings of that court for criminal business are not held, in some of the counties, at a time to afford much of an index. The following table is official: —

Appeals, January sitting, Berkshire,	1890, 40.	In 1891, 26.
Appeals, January sitting, Essex,	1890, 66.	In 1891, 64.
Appeals, January sitting, Worcester,	1890, 56.	In 1891, 43.
Appeals, February sitting, Bristol,	1890, 19.	In 1891, 9.
Appeals, February sitting, Middlesex,	1890, 140.	In 1891, 110.
Appeals, December sitting, Norfolk,	1890, 22.	In 1891, 14.
Appeals, December sitting, Hampden,	1889, 20.	In 1890, 7.
Appeals, December sitting, Hampshire,	1889, 7.	In 1890, 12.
Appeals, November, December, January sitting, Suffolk,	1889 and 1890, 301 ; in 1890 and 1891, 243.	
Total, 1890, 671 ; 1891, 528, — a reduction of 21 per cent.		

COSTS AS SUCH.

I believe the provision of the law requiring a pecuniary penalty, to be imposed as a lump sum, and not in the shape of fine and costs, is generally satisfactory. It has tended toward an equalization of sentences. Perhaps nothing better proves the intention of the statutes to do exact justice to defendants than the law requiring the apportionment of a witness fee of fifty cents where a witness testifies in two cases on the same day. The supreme court has decided that a defendant cannot be held to pay fees to witnesses summoned to testify exclusively upon counts upon which the jury disagreed. (*Com. vs. Ewers*, 4 Gray 21.)

Criminal business has so increased, and the methods of its despatch have so changed, that it was absolutely impos-

sible to execute the benign intention of the law. Last year I gave many illustrations of the inequality of punishment by the imposition of costs. A single case now must suffice. An attempt is made to prove a dwelling-house on a street a common nuisance. The zealous officer will summon the neighborhood, in the hope to find some witness who will swear that he has seen drunken, noisy, people go in or come out of the given tenement. These witnesses must all be paid. The court should say what ones the defendant must pay, in case he is convicted. Nothing can be more annoying than for the district attorney, the clerk of the court and the sheriff, who have all been concerned in figuring up the costs, to find they have assessed a dollar or a cent too much upon some miserable defendant whose wife has scraped together the money to pay with.

THE LAW AS TO COSTS.

Costs are said to be the creature of the statute. It is the law of England. No costs are payable after trial to or by the prosecutor or defendant, unless by virtue of some act of parliament. (2 Hallock on Costs, 557.) The law of Massachusetts is not so clear and specific. Perhaps half the statutes imposing a pecuniary penalty also provide that costs shall or may be taxed to defendants. The other half of the statutes are silent as to costs. The practice has been, in all courts, where a fine has been imposed, to add costs in the discretion of the court or magistrate. Penal statutes being of strict construction, the practice of adding costs where the law prescribes none, and, by so doing, increasing the real penalty ten-fold, it may be, is not wholly satisfactory. It is not easy to see why the payment of costs is incidental to a judgment for a fine, any more than to a judgment for imprisonment. If a court or magistrate should order a defendant to be imprisoned, and also to pay costs, in the absence of a law specifically authorizing such a judgment, it would probably attract attention. The practice appears to rest on the decision in *Harris vs. Commonwealth*, 23 Pick. 280, where Chief Justice Shaw said: "The Revised Statutes imply that a person, sentenced to pay a fine, may be committed by providing for his dis-

charge if the fine and costs are not paid, and he is not able to pay them. We consider, therefore, that, for a conviction under the 47th chapter of the Revised Statutes, one may be sentenced to pay a fine and costs, and stand committed till the sentence be performed." The chapter referred to imposed fines, but was silent as to costs. This doctrine was affirmed in *Wilde vs. Commonwealth*, 2 Met. 411, where the same judge used these words: "If costs are not authorized in terms, they are by necessary implication from the various statutes directing how and by whom a prisoner may be discharged from jail, who stands imprisoned for the non-payment of fines and costs only." Whatever the authority, the practice operated in many cases with very great hardship. The amount of costs very often determined the length of imprisonment of a defendant. If fines and costs did not exceed \$10, the imprisonment for non-payment was thirty days; if fine and costs did not exceed \$20, the imprisonment was forty days; while, if they exceed \$20, the imprisonment may be for ninety days. In one case, one cent may add ten days, in the other fifty days, to a confinement. (P. S., ch. 222, §§ 15, 16, 17.) Therefore, a careful adjustment of costs would seem to be required by the court or magistrate. It seems, as matter of law, the costs form no part of the punishment, and are only compensation to somebody for services. In the case of *Com. vs. Burns*, 14 Gray 35, the court used these words: "Its purpose (the law) was to make the amount of the fine and the extent of the term of imprisonment the standard by which the jurisdiction of magistrates was to be measured and fixed. These constitute the main and essential features of punishment for minor offences, by which the nature and degree of aggravation of the crime is marked and distinguished."

The law as it was construed here, prior to 1890, did not differ much from the old law of England, which permitted a greater fine than was proportionate to the offence, merely to indemnify the prosecutor for his expenses by giving him one-third of the fine. (2 Hallock on Costs, 558.) This practice was at length overruled by Ryder, C. J., in these memorable words: "We desire to have it understood that, whatever may have been done heretofore, the court will

not, for the time to come, set a larger fine in any case of conviction upon an indictment than the nature of the case requires, although the accused shall refuse to go before the master." (2 Hallock, *supra*.)

There arose a practice in England, after that decision, of imposing "common costs," a sum not made up of hair-splitting, or apportionment of witness fees. Substantially that is what is done by chapter 440 of last year. The court or magistrate now is bound to consider what have been the reasonable expenses of conviction, and may impose such part thereof as he pleases, but in open court, and in one sum. Upon this subject of imposing costs, where the statute does not provide any, I cannot refrain from quoting an opinion by the supreme court of the United States, reported in the appendix to Vol. 131, U. S. Reports, clxix. Mr. Justice Strong gives the opinion thus: "Costs in criminal proceedings are a creature of the statute, and a court has no power to award them unless some statute has conferred it. By the common law, the public pay no costs. In England the King does not, and the State stands in place of the King."

It seems to me this decision is entitled to great consideration, and will remove any charge of temerity from one who, with the greatest deference, suggests that we need a crimes act in this State; a bringing forward and codification of all our penal statutes, so that it shall be specifically known whether costs or expenses are to be charged to a defendant, and not allow this great power of imposing costs or expenses to rest as it now does, upon a mere "implication." Some of the penalties of the law seem inconsistent, if not absurd. I can mention only a few. It is a misdemeanor to "fish" in a great pond where fishes are artificially cultivated; but in the case of smelts it is no offence to fish, and the penalty is adjusted according to the number of smelts found in possession of the fisherman. A man may take three pecks of oysters with impunity, but not a bushel. For selling liquor, an inferior court may impose a fine of \$500; but for keeping a liquor nuisance six months, and selling every day, such court can impose a fine of not exceeding \$100.

Here as well as anywhere I may call attention to what was probably an oversight in drawing chapter 293 of the Acts of 1887. The first section gave inferior courts concurrent jurisdiction with the superior court of certain grave crimes, but did not add power to punish as the superior court can. This act was before the supreme judicial court in the case of *Com. vs. O'Donnell*, 150 Mass. 502, where the court refers to the fact that police courts are limited in their power to impose punishment for aggravated assaults. If these courts have concurrent jurisdiction over these assaults, why should they not have full power to punish, and avoid the necessity of binding over a defendant, when, for instance, he pleads guilty, and desires to enter at once upon his term of imprisonment, if he is to have one?

FINES TO CITIES AND TOWNS.

My information is that the feature of the law which gives to cities and towns, where the offences were committed, the fines imposed and paid in the inferior courts, is working satisfactorily. They receive these fines in consideration of the burden cast upon them to pay the fees and expenses of the officers in prosecuting complaints. Taking whole counties together, it was found by many experts in the administration of criminal law that the fines, paid over to the counties, did not materially differ from the amounts paid back by the counties, to pay the fees and expenses of officers in cases where defendants did not pay fines and costs. My views are not changed as to the correctness of that theory. It is too early for accurate results in this behalf. I am officially informed that, in many cases, the towns or cities received as much money as under the old practice. The avowed object of the law was not to reduce the penalties for crime, except where justice required it.

Some artificial charges that were susceptible to gross abuse, and in some cases to shameless outrages, were cut off. But it still remains in the discretion of judges to pronounce such sentence as is suited to the offence committed. Some fees that were no credit to any system of jurisprudence have been plucked up by the roots, and a basis of

punishment established, which I believe will stand the test of time and experience. To talk of the money income of a court is not an agreeable pastime; but, in order to accommodate those who do discuss this question, I append a table showing the amounts, in detail, of fines and costs paid into the several police, municipal and district courts, for the last two years. Let it be borne in mind that the court fee, usually taxed at \$2.35, in every paid case, was abolished on the first day of June, 1890, and chapter 440 took effect on the first day of October last.

*Comparative Statement of Receipts of Police and Municipal Courts
for Fines and Costs in the Years 1889 and 1890.*

Police Courts.

	1889. Fines.	1890. Fines.	1889. Costs.	1890. Costs.
Lee, Berkshire,	\$330 00	\$873 40	\$266 84	\$415 83
Williamstown, Berkshire, .	359 00	210 00	166 40	111 30
Gloucester, Essex, . . .	1,938 47	2,347 04	2,344 40	1,479 85
Haverhill, Essex, . . .	1,830 00	2,306 04	2,050 36	1,647 52
Lawrence, Essex, . . .	5,231 00	6,480 50	1,546 95	897 75
Lynn, Essex,	3,654 00	4,748 00	6,708 44	2,877 73
Newburyport, Essex, . .	976 00	1,859 51	1,206 29	591 37
Chicopee, Hampden, . . .	840 70	1,016 00	1,023 36	561 72
Holyoke, Hampden, . . .	2,844 00	4,812 00	2,699 84	2,028 56
Springfield, Hampden, .	3,152 00	5,043 00	3,519 36	2,595 42
Lowell, Middlesex, . . .	5,901 09	9,867 76	6,024 51	3,071 67
Marlborough, Middlesex, .	516 00	773 00	647 17	604 01
Newton, Middlesex, . . .	1,795 50	2,751 00	1,205 53	866 84
Somerville, Middlesex, . .	2,787 02	2,850 11	3,138 60	1,679 21
Brookline, Norfolk, . . .	959 03	634 06	1,301 93	1,011 82
Brockton, Plymouth, . . .	2,203 00	2,323 00	2,123 03	2,630 09
Chelsea, Suffolk,	2,327 00	2,671 00	3,493 00	1,759 56
Fitchburg, Worcester, . .	1,468 02	1,705 81	1,891 26	1,170 96
	\$39,111 83	\$53,271 23	\$41,357 27	\$26,001 31

Municipal Courts.

Boston (criminal), . . .	\$53,624 94	\$41,454 62	\$6,622 25	\$9,425 51
Brighton district, . . .	2,710 50	2,159 29	844 89	522 50
Charlestown district, . .	7,705 00	5,861 01	1,657 48	812 14
Dorchester district, . . .	1,385 07	3,325 03	1,339 41	741 74
East Boston district, . . .	2,713 00	4,140 01	780 41	595 06
Roxbury district,	10,382 57	11,076 91	2,424 60	1,841 64
West Roxbury district, . .	673 06	1,215 04	593 94	198 45
South Boston district, . .	4,745 04	7,233 52	3,373 02	2,116 07
	\$83,939 18	\$76,465 43	\$17,636 00	\$9,425 51

*Comparative Statement of Receipts of District Courts for Fines and
Costs in the Years 1889 and 1890.*

COURT.	1889. Fines.	1890. Fines.	1889. Costs.	1890. Costs.
First Barnstable, . . .	-	\$77 01	-	\$72 00
Second Barnstable, . . .	-	681 00	-	213 72
Northern Berkshire, . . .	\$1,568 17	1,949 46	\$2,342 15	1,309 00
Central Berkshire, . . .	1,370 00	1,883 00	1,851 57	1,967 75
Southern Berkshire, . . .	459 00	580 38	1,371 47	848 74
Second Bristol, . . .	3,070 01	4,646 01	8,040 86	4,786 77
Third Bristol, . . .	3,917 79	3,861 18	2,949 09	2,037 07
First Bristol, . . .	1,647 00	1,512 00	3,318 97	1,181 31
Second Essex, . . .	1,089 00	1,142 00	970 25	677 87
First Essex, . . .	3,895 00	3,793 00	1,703 01	449 77
Eastern Hampden, . . .	497 00	477 62	1,028 60	437 86
Western Hampden, . . .	541 20	519 00	1,012 06	293 64
Hampshire, . . .	767 00	680 00	1,716 54	1,017 61
First Northern Middlesex, . . .	687 01	290 48	694 24	298 94
Central Middlesex, . . .	173 00	514 00	237 83	274 68
First Southern Middlesex, . . .	695 00	1,297 00	817 21	691 76
First Eastern Middlesex, . . .	2,792 00	3,505 50	2,558 13	1,744 82
Third Middlesex, Eastern, . . .	2,701 00	5,145 22	2,802 84	921 38
Second Eastern Middlesex, . . .	1,563 08	2,586 63	1,522 53	1,126 25
Fourth Eastern Middlesex, . . .	2,528 00	2,063 01	2,104 35	1,151 55
East Norfolk, . . .	1,409 01	2,426 69	2,107 66	2,557 95
Second Plymouth, . . .	2,558 50	1,941 50	2,948 16	2,139 82
Fourth Plymouth, . . .	626 03	1,222 01	817 35	476 84
Third Plymouth, . . .	911 01	553 50	397 22	322 48
Second Southern Worcester, . . .	2,267 10	2,396 00	1,646 07	1,276 18
Second Eastern Worcester, . . .	912 00	1,084 00	1,049 55	832 21
First Northern Worcester, . . .	694 00	1,166 55	903 91	807 48
Third Southern Worcester, . . .	710 06	1,044 02	1,042 28	624 90
First Eastern Worcester, . . .	747 00	889 92	566 77	463 99
Central Worcester, . . .	6,724 00	8,972 58	7,661 63	3,945 50
First Southern Worcester, . . .	776 00	1,412 00	1,119 01	620 26
	\$48,294 97	\$60,312 27	\$57,301 31	\$35,570 10

These tables are most instructive. In the aggregate, the fines and costs in all the inferior courts, in 1889, amounted to \$287,640.56; in 1890, to \$261,045.85; a decrease of 9 $\frac{1}{4}$ per cent. The loss in the municipal courts is noticeable. It amounts to more than 15 per cent., and is mainly in the municipal court of Boston, the amount of loss being \$16,195, or nearly 27 per cent. The increase in the out-lying municipal district courts of Boston is a little over one per cent., while the police court of Chelsea shows a loss of about 24 per cent.

The police commissioners of Boston, in their annual

report, say "the average amount of fines imposed by courts for the last decade was \$94,597.16, while in 1890 the amount was \$175,605.70, or \$81,008.54 more than the average, or about 86 per cent. increase." This shows that the superior court must have imposed larger fines. The fine for first offence of drunkenness has not been changed; so the conclusion is, that, in the municipal court of Boston, fines for other offences than drunkenness have not been increased, to cover the loss of the court fee above referred to, or else the facts that the arrests in Boston have largely fallen off will account for the loss in "earnings" of the court. The police commissioners report the arrests in Boston for the year ending Nov. 30, 1890, at 37,492, as against 40,066 in 1889, a reduction of 2,574. We have seen that the commitments to the penal institutions of Boston (page 16) are about 14 per cent. less than last year, and the county saves considerably for that reason. Those who see fit to apply the scales further, to these outlying municipal courts of Boston, will learn that the Brighton court has fallen off in "income" about 25 per cent., and that in Charlestown 27 per cent.; while the income of the Dorchester court has increased nearly 50 per cent., the East Boston court 35 per cent., the South Boston court 15 per cent., and the courts of Roxbury and West Roxbury have a little more than held their own. It should be remembered that Boston has gained in population very largely in the Roxbury and Dorchester precincts.

POLICE COURTS.

By the tables above it appears the police courts received almost as much money in 1890 as in 1889 for fines and costs, the difference being \$1,196.56, or $1\frac{1}{2}$ per cent. Taking individual amounts, they stand about as follows: That at Lee has had a phenomenal growth of 115 per cent., while that at Williamstown loses 39 per cent. In Essex County, the court at Gloucester loses 10 per cent., that at Lynn 26 per cent.; while the court at Haverhill gains 2 per cent., that at Lawrence nearly 9 per cent., and that at Newburyport 12 per cent. In Hampden County the court at Chicopee loses 22 per cent., that at Holyoke gains 23 per cent.,

and that at Springfield 15 per cent. In Middlesex County there is a gain in all the courts except that at Somerville, which falls off 23 per cent. The court at Marlborough gains 18 per cent., that at Lowell 9 per cent., that at Newton 20 per cent. In Norfolk the police court of Brookline loses 28 per cent. In Plymouth the police court of Brockton gains 15 per cent., the inexplicable thing about this court being that the costs in 1890 seem to have been about \$300 more than in 1889. It may in part be accounted for by the fact that the then clerk was running a bucket shop, and kept on taxing court fees long after they had been abolished by law. The police court of Fitchburg shows a loss of 14 per cent. We have already seen that the police court of Chelsea loses 24 per cent. By counties the police courts of Essex increased fines 30 per cent., while the total loss in the police courts of that county is only 8 per cent. In Middlesex those courts gain 2 per cent. in total of fines and costs, and more than 50 per cent. in fines alone. In Hampden the total increased 15 per cent. and the fines alone more than 50 per cent. The police court of Fitchburg increased fines 15 per cent., that of Brockton 5 per cent. In all the police courts of the State the fines increased \$14,159.40, or 36 per cent.

DISTRICT COURTS.

All the district courts show receipts from fines and costs in 1890 of \$95,882.37, a loss of 9 per cent. over 1889. The fines alone increased \$12,017.30, or 25 per cent. By counties, Middlesex has the van, her district courts having received as much for fines and costs in 1890 as in 1889, within \$265, a loss of about 1 per cent. The fines alone increased \$4,262.75, or nearly 40 per cent. Individually, the First Northern lost in fines 54 per cent., the Central increased 200 per cent., the First Eastern 25 per cent., the Second Eastern almost 70 per cent., the Third Eastern 90 per cent., the Fourth Eastern lost 18 per cent., the First Southern gained almost 90 per cent. In Berkshire these courts fell off in fines and costs 41 per cent. The Northern increased in fines 25 per cent., the Central 30 per cent.,

the Southern 26 per cent. In Bristol the total falling off is 21 per cent. The First increased fines about 9 per cent., the Second 50 per cent., the Third $11\frac{1}{2}$ per cent. The two courts in Essex have lost a total of 20 per cent. The First loses over 2 per cent. in fines, while the Second gains 5 per cent. Hampden loses in all 35 per cent., the Eastern losing \$20 in fines and the Western \$22. Hampshire loses 30 per cent. in its total, and 11 per cent. in fines alone. Plymouth loses in the total 20 per cent. The fines in the Second fall off nearly 25 per cent., and in the Third nearly 40 per cent., while in the Fourth they increase more than 90 per cent. Worcester, with her 7 courts, loses, in the total, only $4\frac{1}{2}$ per cent. The First Northern gains in fines about 70 per cent., the First Southern 80 per cent., the Second Southern 6 per cent., the Third Southern nearly 50 per cent., the First Eastern nearly 20 per cent., the Second Eastern 20 per cent., the Central 33 per cent.

Summary by Counties.

- Municipal courts of Boston, total loss, 27 per cent
- All inferior courts of Berkshire, gain $\frac{2}{5}$ per cent.
- All inferior courts of Bristol, loss, 21 per cent.
- All inferior courts of Essex, loss, 12 per cent.
- All inferior courts of Hampden, gain, $3\frac{3}{5}$ per cent.
- All inferior courts of Hampshire, loss, $23\frac{3}{5}$ per cent.
- All inferior courts of Middlesex, gain, $\frac{2}{5}$ per cent.
- All inferior courts of Norfolk, gain, $13\frac{3}{10}$ per cent.
- All inferior courts of Plymouth, loss, $7\frac{3}{4}$ per cent.
- All inferior courts of Worcester, loss, $5\frac{1}{5}$ per cent.

I claim, from information derived from many inferior court judges and clerks, that frivolous complaints, those which Governor Andrew called “of no public utility,” have largely disappeared, and that is a great desideratum. I also claim that a fatal blow has been struck to the miserable fee system, which has been growing by accretion for a hundred years, like a bed of oysters. Section 3 of chapter 191, Acts of 1860, has been restored to the statute book, with new vitality, by making payable to towns and cities the fines accruing in the inferior courts, in consideration of the abolition of fees to salaried officers, and the burden of paying their own peace officers.

FINES TO CITIES AND TOWNS.

Let it be distinctly in mind that the fines imposed and paid in the inferior courts go mainly to the cities and large towns where the courts are located, and where crime most abounds. To illustrate, and for comparison, I give a table from my report of last year, showing amounts paid to counties by certain courts, and the amounts paid back by the counties to the same courts, to be distributed in the end to the cities and towns within the jurisdiction of the courts, to recompense their officers for services: —

NAME OF COURT.	Amount paid to County.	Amount received from County.
District Court, Fall River, . . .	\$7,557 92	\$8,228 75
District Court, New Bedford, . . .	4,603 78	4,689 57
District Court, Salem, . . .	5,563 10	5,081 38
District Court, Framingham, . . .	2,653 08	3,053 03
District Court, Malden, . . .	4,207 09	4,554 86
District Court, Quincy, . . .	3,559 71	4,212 54
Police Court, Gloucester, . . .	4,180 55	2,328 47
Police Court, Haverhill, . . .	2,414 35	2,228 51
Police Court, Lawrence, . . .	3,600 13	4,346 02
Police Court, Lynn, . . .	5,587 25	5,440 57
Police Court, Lowell, . . .	8,417 96	9,783 11
Police Court, Somerville, . . .	3,002 26	2,078 84
Police Court, Brockton, . . .	3,698 72	3,211 18
Police Court, Fitchburg, . . .	2,677 69	3,041 41
	\$61,723 59	\$62,278 24
Balance, . . .	554 65	—
	\$62,278 24	\$62,278 24

Nearly all the money paid in these courts will go to the principal town or city within the jurisdiction. That is, to say, the bulk of the cash received in the Fall River district court will go to Fall River; that in Salem to that city; that in Lowell to Lowell; that in the central court at Worcester to the city of Worcester, and so on. The small towns attached to these courts have very little crime, and ought not to be taxed to pay for a police force, good or bad, in the cities and large towns. What is aimed at is exactly what is done in Boston and has been done there for years.

Boston has paid for its own police force. Why should it pay to support a force in Chelsea or Revere or Winthrop? Why should Lunenburg help support the police force of Fitchburg, Paxton that of Worcester, or West Bridgewater that of Brockton, and so on? The new act will bring home to municipalities the cost of crime; bills of officers will be audited at home; there will be no "running for luck" in bringing criminal prosecutions; towns and cities that tolerate sources of crime will bear its burden,—and why should they not? Nothing in the world will detect and punish crime but local public sentiment. This is what courts are for, and not for investments or receipts of money. The best may show the least income in cash, and therefore the foregoing tables and "per cents." must not be taken as indexes of the most efficient courts. Then, again, crime often runs in schools; it varies for a hundred reasons, as everybody knows. One year there is license, the next, no license; one year the chief of police is zealous and vigilant, the next year he goes by the board. One year he is supported by public sentiment, the next year he stands almost alone. Some defendants pay, others go down, and others appeal. Some magistrates imprison, others impose a fine. Some impose the minimum, others the maximum. Tramps have well-beaten paths in some counties, in others the path leads straight to Bridgewater, and is not much trodden. Some magistrates impose a minimum pecuniary penalty of \$65 for selling liquor or keeping a nuisance, holding firmly in mind that the Legislature of 1888 provided that \$10 might be added arbitrarily for the expense of a search warrant, in aid of conviction, and that the wretched little court fee of \$2.35 has gone for good. Others sturdily adhere to \$50 for first offence; and all is within their discretion. I am not saying this by way of criticism, but am stating the fact, as I see it more, perhaps, than any other man. I am certain the new law has tended toward a more uniform sentence for some offences in different courts. I do not now find one court in the same county fining a man one dollar, and another court fining a man five dollars, for getting drunk. An excellent practice obtains in Middlesex, where the justices of the

inferior courts meet monthly, as I am informed, to discuss the various questions that constantly present themselves for solution. If this practice could be extended over the whole State, the effect would be most excellent. If some ingenious Mills or McKinley would draft a tariff of fines and imprisonment, which could be generally adopted in all the courts, he would prove the greatest benefactor of his time. Of course nobody expects a horizontal scale; but there should be an approach to uniformity in sentences, which, at the same time, should be exactly "fitted to the case."

FEES BEFORE TRIAL JUSTICES.

For the year 1890, fines paid to trial justices amount to the sum of \$9,525.53, an increase over last year of \$935.43, or about 10 per cent. The paid costs have increased only \$766.32, a fraction of one per cent. I have given these tables and schedules in detail in order to show the real state of facts relating to criminal business. It seems to me the figures are all one way, and prove that chapter 440, in letter and spirit, has in general been fairly administered. The returns of arrests in 1890 are not now accessible, but we have seen there is a falling off in Boston of 2,500, in round numbers.* It is fair to assume that there has been an equal falling off in the State, outside of Boston. We have, then, a material reduction in arrests, in commitments, in appeals, and inevitably a large reduction in the amount of money paid into court by defendants in the shape of fines and costs. The object of chapter 440 was to accomplish this precise result. How much of that result is due to that act cannot be predicated now.

SIMPLICITY OF ACCOUNTS.

An entire revolution has been wrought in the method of taxing, certifying and paying fees and expenses in the inferior courts. All fees of salaried officers being abolished, there is nothing to do but pay over to towns and cities entitled thereto the fines as they are paid in, and with the cash a certificate of expenses to be paid after due examination by municipal authorities. All expenses of officers for all services in the inferior courts are taken away from

* See note on page 11.

the superior court, the clerk thereof, the district attorney and the county treasurer, and promptly settled. The old way of doing things has been described so often, that I will not repeat it. I do not expect again to encounter such cases as these samples. A man is arrested for drunkenness by a policeman whom we call A. B. is another officer in the same town, who arrests the same man for assault. The man is arrested without a warrant. A. returns on his warrant full fees, with one dollar for aid to B., and B. returns full fees on his warrant. Both draw for attendance. Defendant pleads guilty to both complaints, and is sentenced on one to fine and costs, and committed for three months on the other. Separate mittimuses are issued in default of payment, and both officers attend this poor victim twenty miles away to the county jail. Whether thirty days, or forty, or ninety, in prison on first complaint resulted, I do not know. If the poor wife raised money enough to send to the jail and pay the fine and costs, the amount would certainly be startling. And yet this case is reported to me to have happened in substance. Another: a defendant in Westborough was committed to the reformatory at Concord. The officer took the prisoner to Boston over the Boston & Albany road, transferred across the city to the Fitchburg, and thence to Concord, himself returning by the way of the city of Fitchburg, the costs on the mittimus being taxed at about eleven dollars, when everybody knows the railroad runs straight across the county from Framingham to Concord, and the costs should not have been over three dollars. Again: seven complaints and seven warrants were made by a justice of the peace to issue warrants against seven little boys for a joint offence. The warrants were returned to a district court, where the little fellows were all promptly discharged, and the county had a bill of costs of about thirty-nine dollars presented for payment.

Among the archives of the absconding clerk of the police court of Brockton we found search warrants all signed by two complainants and the clerk, ready apparently and on tap to be filled up by whom it may concern, and sent out without an order of any court or magistrate. In all these

cases, under the old regime the county was the paymaster. Now these bills will fall to the cities and towns to pay, and they will govern themselves accordingly. They are likely to investigate before they strike, and cases brought into court will be likely to be meritorious. But, says one official, "our special officers are not running in men now. If they find a man at midnight sleeping off a drunk on somebody's door step, they are not going to wake him up and bring him in;" as if that were not the best possible disposition of that particular case. The man will possibly be all right in the morning, and the man who sold the rum will never hear of the case. Let the officials commend themselves to promotion by "running in" night-walkers of both sexes, keepers of nuisances, house-breakers and such, and the poor drunkard only when he is disturbing the peace, or abusing his family. I agree substantially that the best thing to do with a drunken man, ordinarily, is to send him home, where he may, to use the humane language of the late Justice Devens in a recent opinion, "save himself from a painful and degrading exposure of acts which, even if disorderly and turbulent, are rather those of weakness and folly than of serious criminality."

A word as to defects in chapter 440. It was to be expected that so important a law, affecting so nearly so many officials, so radically changing some things hoary with age, would develop weakness, and need modification or amendment. As yet, few complaints have been made to me officially. The first clause of section 3 provides that no costs as such shall be taxed in "any court of the Commonwealth." Some trial justices have not been clear whether this clause applies to them; I have not supposed it did so apply, but it has always been in their power and discretion to impose fines without costs, and some of them have practically applied the new law with satisfaction to themselves and to the public, as I believe. So that I feel justified in recommending the extension of chapter 440 to trial justices specifically. As to the question whether they are courts, some decisions seem to be in point, although I cannot find that the question has been squarely decided, here or elsewhere. In Art. 6 of the Bill of Rights we

have the phrase, "a magistrate, lawgiver, or judge," and also in Art. 18 the words, "lawgivers and magistrates," and in Art. 28, "No magistrate or court of law." I take it the word "magistrate," in these sections, refers to justices of the peace who came over with us from England. They are nowhere called judges, and their tribunals are rarely if ever called courts. All judicial officers except justices of the peace are to be appointed during good behavior. The question has been negatively decided in several cases. In *ex parte Gladhill*, 8 Met. 168, Chief Justice Shaw said, referring to a police court: "This indicates the establishment of a court, or judicial, organized tribunal, having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and distinguishes it from the case of a justice of the peace, on whom, personally, certain judicial powers are conferred by law." This language is repeated in *Com. vs. Hawkes*, 123 Mass. 528. It was held in that case that a judge vacates his office by accepting a seat in the Legislature. Trial justices are found in almost every session of that body. Nobody has heard that such action vacates their office of trial justice.

Until 1888, a trial justice could burn his books and papers, or sell them for old junk, on resigning his office.

In *Com. vs. Maloney*, 145 Mass. 211, the court say: "A trial justice is not a permanent court, with stated terms. His court is a court of record, but it is a temporary court for each case, kept alive by continuances, etc. The indefinite postponement of a case before it is in effect the indefinite postponement of the court." This is the only case I remember where the word court is applied to the proceedings of a trial justice. In *Otto vs. Teahan*, 133 Mass. 432, the court say: "Police and district courts are regarded as of a somewhat higher grade than justices of the peace, and it is highly improbable that the Legislature should intend to confer upon the inferior tribunal a higher and more dignified jurisdiction than that possessed by the superior tribunal."

It would seem, therefore, that, while justices of the peace "have certain judicial powers conferred upon them per-

sonally," while they may "share in judicial labor and lighten it," they are not judges, and their *tribunals* are not courts. But I am satisfied, from the practical operation of the new law in the inferior courts; from the fact that some of the trial justices, who are able lawyers, impose "lump" sentences, in lieu of fine and costs; from the fact that trial justices now send their bills and accounts to county treasurers quarterly, — that it will be entirely safe and practicable to extend all the requirements of chapter 440 to these tribunals, giving to all towns and cities the fines paid to trial justices, and imposing upon them the expense of officers in all process served by them.

When chapter 440 was drafted, the county of Barnstable had been divided into districts, and courts established therein. I assumed that the rest of the State would be also districted for courts. The fact that trial justices are paid by fees, and if the three dollars allowed by law for each case were to be deducted from any fine paid to them, the balance to go to the town would be so much less than in like cases in the inferior courts; the fact that the jurisdiction of a trial justice is as wide as the county (unless there be inferior courts in the same county), — led me to think it unwise to give to trial justices the power and duty intended to be imposed upon the inferior courts in respect to fines and costs.

After four months of trial of the new law, and with pretty full discussion of the question with leading trial justices, I recommend that the three dollar fee of all trial justices be paid by the counties, every three months, as now, in analogy to the payment by the counties of the salaries of judges and clerks, and the incidental expenses of the inferior courts; that all fines paid to trial justices be paid to the town where the offence was committed, and that such towns shall pay the fees and expenses of their own officers. It is to be remembered that now, in all cases where defendants do not pay, the counties pay the fees of the trial justices. Chapter 353 of 1890, giving the three dollar fee to trial justices, in lieu of half-a-dozen driblet items, averaging in the aggregate about three dollars, has worked well, led to no abuse, and simplified accounts won-

derfully. In proof whereof, I give the figures of the counties where trial justices most abound, showing the fees retained to their own use for the years 1889 and 1890, the new law having gone into effect July 1 last: —

COUNTIES.						1889.	1890.
Franklin,	.	.	.	.	.	\$1,508 45	\$1,628 91
Norfolk, .	.	.	.	.	.	5,038 90	5,075 95
Essex, .	.	.	.	.	.	2,002 99	2,013 06
Worcester,	.	.	.	.	.	3,313 30	2,696 63
Total,	.	.	.	.	.	\$11,863 64	\$11,414 55

Difference in favor of new law, \$449 09

The change recommended will involve the certifying of costs by trial justices to towns without any supervision by the district attorney, as is now required by law, and done in many counties. I am satisfied that this can safely be done. All that has been said before as to bringing home to the towns within the jurisdiction of inferior courts the expense and the responsibility of minor criminal offences, will apply to towns where trial justices hold their tribunals. It will lead to the best kind of auditorship of the fees of officers, and to some rational method of paying night watchmen and policemen, instead of that infinite variety of ways which now exists, many of which are almost ridiculous. It will also tend toward some territorial limitation of the jurisdiction of these magistrates, other than the confines of counties (outside of the courts), and will in large measure prevent the poaching of one justice upon what ought to be the domain of another.

So long as the law directs that, in a warrant for the arrest of a citizen, it need only be stated that the defendant shall be brought "before some trial justice" in the county, abuses, if not outrages, are likely to happen. Some of these abuses have been called to my attention. One magistrate cut down the fees of an officer who charged sixteen dollars for carriage hire in committing some tramps. Not long afterwards, the magistrate, as he sat looking out of

his window, saw the officer with some more tramps going directly past his house toward that of another magistrate, and not in the direction of the county seat and jail, either, where eventually the same tramps were likely to be lodged. Repeated instances have been brought to my notice where defendants were carried far away toward Wrentham, when other magistrates, presumably just as competent, were more available in respect to distance and amount of fees to be taxed and paid by defendants or county.

In my first tour of the State I encountered one trial justice who said he did not charge for the entry fee in civil cases unless there was some fruit from the prosecution. On being remonstrated with, he replied that attorneys told him that, unless he did this, they would enter their causes before some magistrate who would "run for luck" with them. As the fees in such causes belonged to the magistrate, it would perhaps be severe to censure him for not quarrelling with his bread and butter. Another conscientious trial justice confessed to me that it did his soul good to find, in the morning, his front yard filled with persons probably in pursuit of justice, civil or criminal. I believe, as a general rule, trial justices will not issue warrants to run into other towns, where other trial justices reside. The difficulty comes from the fact that nine men out of ten are arrested without warrants, and there is nothing in the law to compel an officer to take a person, thus arrested, before the nearest available magistrate or court. It is a fair question for the Legislature, whether some limitation in this behalf should not be established. The arrest by railroad police on a train raises an interesting question. How far shall the party arrested be carried in a county fifty miles wide, and the train running plumb through it?

I believe a hundred evils, familiar to almost everybody, will disappear by the change of practice recommended herein.

COMPLAINTS BY TOWN TREASURERS AND CERTAIN CITY OFFICIALS.

A question of tremendous magnitude was raised in certain quarters, before chapter 440 took effect, under the

title, "Who makes the complaint?" and there was strong implication that some one had blundered. The most elaborate proclamation that came to my knowledge closed with these words: "On and after October 1, therefore, it would seem that complaints must be made to the court, in the case where the offence was committed in a town, by the treasurer of the town; and where the offence was committed in a city, the complaint must be made to the court either by a city marshal, police officer or city treasurer. At all events, that is the view of the case taken by the officers of the . . . court."

This conclusion of law, at first sight, was certainly startling, and it looked as if a revolution in the methods of doing criminal business had been rather summarily accomplished. The cause of so great a disturbance was sought, and immediate relief was found when a little clause in section 5, of the act, reading as follows: "All fines or forfeitures imposed and paid in any district, police or municipal court, shall, where no other provision is made by law, be paid to the city or town in which the offence was committed," in connection with section 106 of chapter 27, Public Statutes, was assigned as the cause of the revolution.

Section 106 is this, in substance: "Where no other provision is specially made, he (the town treasurer) shall prosecute for all fines and forfeitures which inure to his town or to the poor thereof." Looking in the margin, and to Crocker's notes, it did not appear that this section had ever been construed by the courts, and that an original question had been presented, which very likely had been correctly passed upon in the proclamation. However, I soon learned that the profession generally did not take that view of it, and did not propose to put a "construction of subtlety" upon a great remedial statute which would almost paralyze it. It was not forgotten that the substance of chapter 440 was sent by the joint special committee to every judge (except those of the supreme court), every clerk of a court, high or low, every trial justice, every sheriff, and to many other persons learned in the law and engaged in its administration, in the Commonwealth; and that not one of them, in their replies, or in the hearings before the com-

mittee, had suggested that the proposed bill contained any such abyss as that pointed out; nor that the bill ran the gauntlet of the judiciary committee of the Senate and of the two branches, without any suggestion of amendment. I soon satisfied myself, at least, that chapter 440 was not subject to the great reproach brought against it, and was gratified to know that complaints in the courts, in general, were being made exactly as before this chapter was enacted.

To those who inquired of me, the reply was given, that no question seemed possibly to arise until the fine was "imposed and paid" in the inferior court, since by the same statute it is provided that all fines paid after commitment, or in the superior court, should be paid over to the counties, also all fines paid to trial justices; and I advised that prosecutions go on as before, and leave defendants to raise such questions as they should be advised, when the supreme court could settle all controversy.

The decisions upon chapter 28, section 26, Public Statutes, did not seem to me conclusive, as they related to cases where the statutes themselves prescribed a fine only as the penalty, and it went to the city whenever and wherever paid or imposed. I then stumbled upon the case of *Com. vs. Carroll*, 145 Mass. 403, where the court say, "A complaint may be made by any one who is competent to make oath to it." It seemed that this opinion could well be relied upon until the Legislature could act, if necessary, or till the question should be fairly presented to the supreme court, in an actual case. Such case has now arisen, and comes before the full bench for argument Feb. 2, 1891. If the case does not go off on a technicality, we shall be likely to have the question settled. The case is from the District Court at Woburn, where complaint was made for selling liquor. A motion to quash was made because the town treasurer of Stoneham did not sign the complaint. The judge overruled the motion, and an appeal was taken to the superior court, where Mr. Justice Pitman sustained the lower court, and exceptions were duly taken. Lest this case does not settle the question, I give my views for what they may be worth.

In the first place, it is a practical impossibility that treas-

urers can prosecute for all violations of even section 19 of chapter 27, Public Statutes; and, in my judgment, it is only to that section, that section 106 of same chapter was intended to apply. So far as I can learn, no clerk nor judge can cite a case, until recently, where a town treasurer has signed a complaint even under section 19. There seems to have been an attempt to merge the question of the punishment of a criminal with that of the collection and disposition of money which might result from such punishment. "An interest in the penalty, when recovered, is a different thing from a right in the complainant or informer to bring an action for the penalty in his own name" (Smith *vs.* Look, 108 Mass. 140.) "Any person may make the complaint," say the court in that case. The question as to disposition of penalty does not arise until some penalty has been recovered. (Wheeler *vs.* Goulding, 13 Gray, 539.)

Second. The treasurer is not obliged to prosecute, and he can suspend the laws, in his discretion. (Wheeler *vs.* Goulding, *supra.*) Take by-law cases alone. By the census of 1885, we had eighteen towns of more than eight thousand inhabitants each, three of which are now cities. By-law suits are abundant, and in most cases arrests for their violation are made without warrants. Are officers to be mulcted in damages because the town treasurer refuses to follow up an arrest with a complaint, or is absent or sick? Again, is a town treasurer to be liable for malicious prosecution if it be determined there was no ground whatever for complaint? Is a town treasurer to be aroused at midnight to sign a complaint without examining any witnesses, or is he to hold an assize in his nightgown? Town treasurers are not hired for such duty, and cannot do it, and will not, without a most imperative statute, with compensation for the work, and a large bond to indemnify them for losses.

Third. Special provision is made by law for prosecutions for penalties. In 151 Mass. 60, it is just decided that granting jurisdiction to inferior courts for punishing crime is a special provision of law. These courts now have jurisdiction of almost everything below felony, and

the statutes abound in directions as to who shall complain. (See P. S., ch. 27, § 120; ch. 56, § 19; ch. 57, § 10; ch. 68, § 19; ch. 80, § 59; ch. 80, § 81; ch. 92, §§ 11, 12; ch. 91, §§ 54, 55, 60, 83; ch. 207, §§ 25, 29, 45, 56, 57, 58.) Under all these statutes, and many more, arrests are made without warrants, and the officers making arrests must follow with complaints made by them or for them. Substantial compliance with the law as to the complainant is enough. (*Gainey vs. Parkman*, 100 Mass. 316; *Papineau vs. Bacon*, 110 Mass. 319.)

Fourth. Tracing section 106, chapter 27, to its sources, we find, in Revised Statutes, chapter 15, section 63, the marginal reference to 11 William 3d, 66, and in Vol. 1, Province Laws, 449, we find the original statute, and for convenience of reference I copy it entire: —

AN ACT FOR RENDERING AN ACCOMPT OF FINES, ETC.

Whereas, by an act entitled “An Act for passing of sheriffs accompts,” amongst other things therein contained, it is enacted, — “That every clerk of the peace in each county within this province, and clerk of assize, shall deliver unto the sheriff of the county a perfect estreat of all fines, issues, amerciaments, recognizeances, moneys and forfeitures imposed, set, lost or forfeited in any sessions of the peace, court of assize and general goal delivery, or special court of oyer and terminer, by any person due to his majesty, within the space of thirty days next after ending of the said courts respectively, and within said time shall deliver unto the treasurer and receiver-general of this province a perfect schedule of all such estreats by him delivered to the sheriff, &c., but forasmuch as no provision has hitherto been made how fines or forfeitures accruing to any county or town, or the poor thereof, or how fines or forfeitures set by one or more justices out of court, shall be accounted for, — *Be it therefore enacted and declared by the Lieutenant-Governour, Council and Representatives in General Court assembled, and by the authority of the same.*

[SECT. 1.] That all clerks of the peace and clerks of assize be and hereby are, likewise, respectively enjoined and required, within the space of thirty days next after the ending of each sessions of the peace, court of assize and general goal delivery or special court of oyer and terminer, to render and deliver unto the treasurer of each county and town, respectively, a perfect schedule or accompt of all fines, amerciaments, moneys, and forfeitures, imposed, set, or for-

feited, in such court, and by law appropriated to the use of such county or town, or the poor thereof respectively, under the like penalty as in the afore-recited act is exprest for not returning such schedule to the treasurer and receiver-general.

And further be it enacted by the authority aforesaid,

[SECT. 2.] That all and every justice and justices of the peace, at the end of every six months shall render and deliver to the treasurer and receiver-general of this province for the time being, county and town treasurer respectively, a perfect schedule or accompt of all fines, amerciaments, moneys and forfeitures, imposed, set or forfeited before such justice or justices out of court, due to his majesty, or by law or town order particularly applied to the use of such county or town, or the poor thereof, respectively, on pain of forfeiting the sum of five pounds to his majesty, toward support of the government, or to such county or town respectively for the defreying of county or town charges, being duly convicted of neglect therein, to be sued for and recovered by the treasurer and receiver-general of the province or such county or town treasurer for the time being, any law, usage or custom to the contrary in any wise notwithstanding. [*Passed March 12 ; published March 14, 1700-1.*]

Is there not much force in the argument that section 106 refers only to civil process to recover money in the hands of public officers, not duly paid over to towns? Until the supreme court construes that section, I shall take that view of it. It makes the law reasonable and consistent. As inferior courts have no power to *not pros*, there is no danger that towns will lose revenue by collusive action of the complainant and the defendant, as suggested in the opinion in *Com. vs. Fahey*, 5 Cush. 408.

Fifth. It is a fair question to ask, whether 440 is not "a special provision of law," which in effect repeals sections 19 and 106 of chapter 27, and section 26 of chapter 28, Public Statutes, leaving the law to stand broadly as laid down in *Com. vs. Carroll*, *supra*, "A complaint may be made by any person who is competent to make oath to it."

The bill of rights possibly may be invoked, which in Art. xi gives free access to the courts whenever a subject has received an injury or wrong in his person, property or character. If such access is only through the consent or discretion of a town or city treasurer, or a city marshal

or police officer, how can it be said the remedy is full, complete or prompt?

In justice to the inferior courts, I ought to say that the requirement that town treasurers shall make complaints under chapter 440 has been exacted only in the second, third and fourth district courts of Plymouth, the district court of East Norfolk, and the central district court of Worcester. The learned judge of the central district court of Berkshire told me that he thought there was nothing in the point; but in some cases, where he anticipated an ugly contest, out of the greatest caution, he had asked town treasurers to sign complaints.

Other judges may have taken the same view, but I have no official information of the fact. The late clerk of the district court of East Norfolk, who is now a justice of the peace to issue warrants, informs me that he issues warrants to any proper complainant, returnable in the said East Norfolk court, and they are duly entertained. I have many letters from town treasurers, and other persons engaged in the enforcement of law; and it is clear that many prosecutions have not been brought which perhaps ought to have been, and I have no doubt that business in some of the courts has fallen off, by reason of the attitude taken by the justices thereof. It goes without saying, that all doubt should promptly be removed.

PAYMENT OF WITNESS FEES.

Chapter 440, section 6, provides that all witness fees shall be paid by the counties, as has been done heretofore. The non-payment of witnesses heretofore, in some courts, has been a great hardship and wrong. Chapter 180 of the Acts of 1888 made this payment imperative. When that statute was enacted, the witnesses in the municipal court of Boston, for criminal business, were paid by the treasurer of Boston, under a proper system, and this court was excepted from the provisions of chapter 180. By an oversight, that exception was not inserted in chapter 440. I recommend that the law be changed so it shall stand as in chapter 180 of 1888.

PAYMENT OF FINES AFTER COMMITMENT.

Chapter 440 provides, in section 5, that all fines paid after commitment shall go to the counties, as heretofore. This was left so because the counties pay all witness fees, and because it was found, on computation, that the financial status of counties would not be materially disturbed, if fines paid on appeal, in the superior court, or after commitment, were allowed to go in their old channel. It is now suggested that these fines paid after commitment should inure to the towns and cities where the offences were committed, and which have paid the officers' fees in prosecution. The question is as broad as it is long. In such case the county tax upon the towns and cities would have to be increased in proportion as the revenue falls off. In the end, I doubt if much would be gained. I submit whether further time may not wisely be given to test the act, to fully adjust its machinery, and, from practical results, determine what amendments should be made. The principle of the act was that the financial condition of things would not be disturbed, except to greatly benefit the towns where little crime is committed. I fully believe, when in full operation, the county taxes will largely fall where they belong, — upon the large towns and cities of the Commonwealth.

PAYMENT OF WITNESS FEES BEFORE THE GRAND JURY.

In most counties the witnesses in the supreme court are promptly paid. In Hampden this is not done in causes before the grand jury. Witnesses there are compelled in general to wait till the trial before the traverse jury. The result is apparent. Witnesses before the grand jury are found to be immaterial. Defendants plead guilty on arraignment, or by agreement afterwards, and witnesses are not summoned or needed. In the statement of the treasurer of Hampden for 1890 is an item of liabilities, "costs and fees in criminal cases, \$767.67." Much of this is fees due to witnesses, which ought not to be. The supreme court has decided that a witness is *prima facie* entitled to his fee, on certifying his travel and attendance. Obligated to attend for a small fee, this should be promptly paid.

NEW DISTRICT COURTS.

I am not sure that it is within my province to recommend any change in the courts. Still, as I am convinced county taxes may be reduced by exchanging trial justices for courts, I venture one or two suggestions.

Middlesex has but two or three trial justices. No new courts need to be established there. Natick was formerly in the Framingham district court. It was taken out for reasons which I believe do not now exist. If it were to go back, and have a session of the district court there, it seems to me it would be an advantage. The police court of Marlborough might be made to include Hudson, with a session there, or made into a district court. The other small towns in the county can readily be adjusted to the central court at Concord, the police court at Lowell, and the other district courts. Whether a trial justice should be retained in the south-western corner is a fair question for consideration.

In Worcester, the towns around Fitchburg could be brought into the jurisdiction of the police court of that city, with a sitting at Leominster. Winchendon can go to the district court at Gardner. Whether a court can be established in the south-west corner of Worcester to public advantage, I am not sure. It is a fair question to consider. Much would depend on the means for rapid communication from town to town.

Norfolk I am satisfied may well be made into court districts, one for Dedham and Hyde Park, one for Canton and Stoughton, and one for, say, Walpole, for its western towns. The fees for the trial justices in that county amount to more than \$5,000, as we have seen. These would give three judges a salary of \$1,000 each, a clerk with a salary of \$500, and leave \$500 for incidental expenses.

In Essex, I think a court at Ipswich would be well established, and all the other towns gathered into the various police and district courts now existing.

Franklin County would thrive with a court covering the whole county, I believe, like that in Hampshire, which

works to the general satisfaction. If not, then let a court be fixed at Greenfield, with a session at Turner's Falls.

In Berkshire I think the session of the district court of Northern Berkshire, held at Adams, may well be discontinued, and the business transferred to North Adams. Communication by steam and electric cars is so ample that a great saving can be made. With the fees cut off, car fare is now the main item of expense. I desire to say that the session held at Adams is held by a special justice, and neither the justice nor clerk of the northern district court has any control over cases at Adams, except to file the papers as transmitted by the special justice. I am not sure but the same thing can be done to advantage with the sessions of the first district court of Bristol, held at Attleborough by a special, as at Adams.

By making the changes suggested there would be more than enough saved to compensate judges and clerks for increased labor. These establishments and consolidations would leave few trial justices, except in the island counties, where they will probably have to be retained.

I make these suggestions in criticism of the trial justice system, and not of the magistrates themselves. In the main, they have certainly done good work; but their term of office is so short, their method of compensation is so peculiar, their income as trial justices depending on the number of cases they have, and for other reasons not necessary to be stated, trial justices have not that independence which a judge should have, of all surroundings. A trial justice does much of his best service in refusing warrants; but for that he gets no pay, and the ill will of would-be complainants. To pay them a salary does not seem quite practicable.

POWER OF INFERIOR COURTS TO NOL PROS. OR PLACE ON FILE.

In examining the records of a trial justice, I found several cases with the entry endorsed on the back, "*nol prossed* by order of the district attorney." These were cases where defendants had been convicted by the magis-

trate, and appeals were duly taken; but, before entry in the superior court, the discovery was made that there was a misnomer of the vendee of liquor charged to have been sold illegally, and no papers were transmitted to the superior court. This seems irregular, and may have led to a miscarriage of justice. It seems as if in such case there is nothing for the trial justice to do but to send up the papers.

It has been decided that inferior courts cannot enter a *nolle prosequi* (Com. *vs.* Hart, 149 Mass. 7). A trial justice would naturally follow the suggestion of the district attorney; but where public rights are concerned, as well as the rights of the defendant, the officers making the arrest, and even of the magistrate himself, the positive requirements of the statutes may well be adhered to. What power the district attorney has before a trial justice is not settled. I only find this, “In cases before a trial justice the government has no officer to discharge the duties of prosecuting attorney” (in Com. *vs.* Rogers, 9 Gray, 280). In the cases mentioned, a leading rumseller had been convicted before the magistrate, and nothing more was heard of the case so far as any public record went; and there was “no small stir” over the matter.

In Com. *vs.* Maloney, 145 Mass. 205, it is decided that a trial justice cannot place a case on file, or continue it indefinitely, to be called for sentence, for cause. I understand this decision covers all inferior courts; for the statute injunction is that they shall conform their practice, so far as may be, to that of trial justices. And so it comes that in many courts where it is found wise and proper to terminate a case without a judgment against a defendant, the complaint is dismissed; although the defendant has pleaded guilty. This applies very generally to juvenile offenders. They come in and plead guilty, cases are continued to a day certain, to try the conduct of the accused, and then, if all is satisfactory, the complaint is dismissed. There seems to be a confusion here in the legal record. Many courts, I think, still place cases on file. Why should not inferior courts at least be given this power? If they can commit a boy during minority, it would seem they might well place a case on file. By special statute (chapter 359, Acts of

1885), the courts may place a liquor case on file, apparently. It seems absurd to dismiss a complaint to which a defendant has pleaded guilty.

I repeat, there is need of a learned commission to codify the criminal law, to readjust much of its machinery which is not adapted to modern times.

UNIFORM SYSTEM FOR VOUCHERS AND CERTIFICATES.

I recommend that some competent authority be designated to prescribe a uniform system of vouchers for officers' and witnesses' fees in all the courts, and for a uniform system of certificates to county and town treasurers. Section 77 of chapter 155 of the Public Statutes is not easy of enforcement, and there is no uniformity in the practice of different courts and magistrates. But for that statute I might perhaps now direct how receipts may be taken.

COMPENSATION OF ASSISTANT DISTRICT ATTORNEYS.

The State pays the district attorneys. Why should the counties pay the assistants, as now provided by law, and as is now done, except in Suffolk, where the State now pays them?

DETAILED REPORTS BY COUNTY TREASURERS.

The treasurers' reports in detail, under the law of 1890, seem to me to be a great reform. Tax payers can now see where county money goes. The "dog money" will be traced with interest. Some legislation to define what are domestic animals seems to be necessary.

EDWARD P. LORING,

Controller of County Accounts.

APPENDIX.

TABLE No. 1.—Returns of County Treasurers for the Year ending Dec. 31, 1890.
RECEIPTS.

TREASURER.	County.	Tax Collections.	Courts.	Sheriffs.	Jailers.	Masters of Houses of Correction.	Dog Licenses.	Interest.
Clarendon A. Freeman,	Barnstable, .	\$15,000 00	\$454 21	\$61 28	-	\$732 87	\$3,092 60	-
George H. Tucker,	Berkshire, .	75,000 00	7,751 38	1,116 82	-	2,061 57	8,787 90	\$233 16
George F. Pratt,	Bristol, . .	180,000 00	13,347 63	4,313 52	\$2,034 36	35,668 74	16,140 60	1,431 83
John S. Smith,	Dukes County,	7,796 10	127 60	135 45	-	-	433 70	-
E. Kendall Jenkins,	Essex, . .	205,000 00	27,932 67	4,552 71	448 85	23,816 69	23,745 70	1,456 59
C. Mason Moody,	Franklin, . .	33,092 93	833 02	235 25	-	1,325 49	4,346 60	72 92
M. Wells Bridge,	Hampden, . .	98,000 00	14,747 14	5,289 28	-	4,975 01	11,096 40	834 00
Lewis Warner,	Hampshire, .	42,000 00	2,035 66	563 79	725 89	1,786 12	5,404 20	111 44
Joseph O. Hayden,	Middlesex, .	270,000 00	38,544 27	22,734 12	2,775 03	82,108 98	40,602 60	632 66
Samuel Swain,	Nantucket, .	3,500 00	114 40	48 96	-	-	313 80	-
Chas. H. Smith,	Norfolk, . .	85,508 24	5,640 00	2,173 28	-	3,259 60	15,736 15	133 43
Albert Davis,	Plymouth, .	65,000 00	7,095 22	1,758 56	-	3,710 85	12,373 60	149 00
Edward A. Brown,	Worcester, .	125,000 00	23,617 79	7,449 69	9,145 31	8,232 29	26,983 40	1,298 46
		\$1,204,897 27	\$142,240 99	\$50,432 71	\$15,129 44	\$167,679 21	\$169,057 25	\$6,353 49

TABLE No. 1. — *Returns of County Treasurers for the Year ending Dec. 31, 1890* — Continued.

RECEIPTS.

TREASURER.	County.	Cities and Towns on Account of Highways and Bridges.	Louisa.	Clerks of Courts, Fees.	Miscellaneous.	Balance on Hand Jan. 1, 1890.	Total Receipts.
Clarendon A. Freeman,	Barnstable, .	\$300 00	\$18,500 00	\$288 25	\$71 14	\$361 16	\$38,861 51
George H. Tucker,	Berkshire, .	150 00	30,000 00	1,197 65	406 40	28,234 89	154,939 77
George F. Pratt,	Bristol, .	45 00	70,000 00	2,537 55	987 47	122,487 70	448,994 40
John S. Smith,	Dukes County, .	-	5,300 00	51 95	3 00	683 91	14,531 71
E. Kendall Jenkins,	Essex, .	-	70,000 00	3,880 72	295 44	110,059 58	471,188 95
C. Mason Moody,	Franklin, .	540 00	15,400 00	1,319 27	109 60	14,902 31	72,177 39
M. Wells Bridge,	Hampden, .	-	80,000 00	2,948 52	3,177 57	9,124 42	230,193 34
Lewis Warner,	Hampshire, .	-	20,000 00	933 65	79 35	1,213 17	74,856 27
Joseph O. Hayden,	Middlesex, .	-	200,000 00	5,842 37	929 55	67,112 98	740,282 26
Samuel Swain,	Nantucket, .	-	-	-	1 00	84 33	4,062 49
Charles H. Smith,	Norfolk, .	-	75,000 00	2,002 40	1,745 08	17,328 79	208,526 97
Albert Davis,	Plymouth, .	1,833 34	65,000 00	892 85	2,236 00	10,072 42	170,121 84
Edward A. Brown,	Worcester, .	-	-	4,145 70	585 60	78,921 91	285,380 15
		\$2,808 34	\$658,200 00	\$26,040 88	\$10,627 20	\$40,587 57	\$2,914,117 05

TABLE NO. 1. — *Returns of County Treasurers for the Year ending Dec. 31, 1890* — Continued.

EXPENDITURES.

TREASURER.	County.	Interest.	Support of Prisoners.	Salaries.	Dog License Money re- funded and paid for Damages.	Highways and Bridges.	Building, Repairing and Furnishing County Buildings.	Paid on Principal of County Debt.
Clarendon A. Freeman,	Barnstable, .	\$475 47	\$2,108 49	\$4,907 26	\$3,092 60	\$864 07	\$628 00	-
George H. Tucker,	Berkshire, .	9,119 43	9,908 23	21,859 58	8,855 02	6,106 24	9,075 58	\$10,000 00
George F. Pratt,	Bristol, .	12,989 25	49,422 01	47,121 43	16,441 95	43,921 73	34,991 56	40,000 00
John S. Smith,	Dukes County, .	1,020 71	485 82	2,115 00	663 55	-	223 34	1,000 00
E. Kendall Jenkins,	Essex, .	11,582 27	67,145 40	41,260 12	28,743 92	31,221 06	9,762 27	60,000 00
C. Mason Moody,	Franklin, .	2,801 63	1,841 23	7,862 00	4,368 03	1,844 61	466 92	2,000 00
M. Wells Bridge,	Hampden, .	18,478 47	14,905 52	34,525 79	10,048 58	2,316 45	5,165 19	-
Lewis Warner,	Hampshire, .	4,541 52	4,586 54	12,625 83	4,305 73	1,090 95	398 15	8,000 00
Joseph O. Hayden,	Middlesex, .	10,256 30	106,360 74	62,315 85	44,667 39	8,111 73	101,400 23	47,000 00
Samuel Swain,	Nantucket, .	-	451 43	1,387 65	24 00	121 00	427 27	-
Charles H. Smith,	Norfolk, .	1,595 65	11,070 91	16,390 06	16,783 70	14,676 23	5,138 63	-
Albert Davis,	Plymouth, .	2,392 36	4,772 68	20,656 67	12,964 24	8,616 24	33,242 43	10,000 00
Edward A. Brown,	Worcester, .	-	25,992 03	58,971 72	26,967 67	340 05	3,296 31	-
		\$75,253 06	\$299,051 03	\$331,998 96	\$177,926 38	\$119,230 36	\$204,215 88	\$178,000 00

TABLE No. 1. — *Returns of County Treasurers for the Year ending Dec. 31, 1890* — Continued.
EXPENDITURES.

TREASURER.	County.	Paid on Temporary Loans.	Expenses Criminal Prosecutions.	Expenses Terms of Court.	Medical Examiners and Inquests.	Copying, Recording and Indexing.	Printing and Stationery.	Law Libraries.
Clarendon A. Freeman,	Barnstable, .	\$1,800 00	\$3,539 04	\$2,132 39	\$255 50	\$147 30	\$630 69	\$258 25
George H. Tucker,	Berkshire, .	30,000 00	11,341 74	5,826 91	669 90	728 15	1,091 84	682 00
George F. Pratt,	Bristol, .	-	28,475 01	18,282 70	1,253 40	1,408 07	3,173 39	-
John S. Smith,	Dukes County, .	5,000 00	849 69	997 90	49 17	25 25	371 12	-
E. Kendall Jenkins,	Essex, .	10,000 00	43,888 82	24,171 65	2,409 07	7,216 70	2,024 65	3,173 00
C. Mason Moody,	Franklin, .	15,400 00	7,545 91	5,270 55	243 10	-	892 76	800 00
M. Wells Bridge,	Hampden, .	95,000 00	20,891 81	11,131 96	1,404 43	-	-	2,425 37
Lewis Warner,	Hampshire, .	20,000 00	4,638 77	5,085 43	141 10	652 00	1,764 23	1,337 58
Joseph O. Hayden,	Middlesex, .	187,000 00	63,919 36	34,078 11	1,759 30	17,439 07	6,790 17	2,841 00
Samuel Swain,	Nantucket, .	-	310 16	744 02	8 10	55 00	165 68	-
Charles H. Smith,	Norfolk, .	75,000 00	28,793 62	8,765 56	602 70	771 77	2,203 61	-
Albert Davis,	Plymouth, .	35,000 00	11,583 06	9,790 55	1,152 54	1,827 59	792 56	-
Edward A. Brown,	Worcester, .	-	36,835 15	28,268 55	1,483 70	1,596 88	2,429 93	3,907 00
		\$490,400 00	\$262,612 14	\$154,546 31	\$11,502 01	\$31,867 78	\$22,330 63	\$15,454 20

TABLE No. 1. — *Returns of County Treasurers for the Year ending Dec. 31, 1890* — Concluded.

EXPENDITURES.

TREASURER.	County.	Miscellaneous.	BALANCE IN TREASURY DEC. 31, 1890.			Total Expenditures.	Amount of County Debt, Dec. 31, 1890.	Salary of Treasurer.
			Cash.	Deposits in Bank on Interest.	Deposits in Bank not on Interest.			
Clarendon A. Freeman,	Barnstable, .	\$830 01	\$578 27	-	\$374 17	\$38,861 51	\$5,000 00	\$500 00
George H. Tucker,	Berkshire, .	4,360 65	812 12	\$24,502 38	-	154,939 77	200,000 00	1,500 00
George F. Pratt,	Bristol, .	11,807 35	-	139,691 55	15 00	448,994 40	342,500 00	1,800 00
John S. Smith,	Dukes County, .	293 00	185 62	-	1,251 49	14,531 71	16,251 20	300 00
E. Kendall Jenkins,	Essex, .	7,646 06	938 74	116,909 40	-	471,188 95	310,000 00	2,200 00
C. Mason Moody,	Franklin, .	1,839 08	179 15	10,000 00	8,822 42	72,177 39	58,900 00	600 00
M. Wells Bridge,	Hampden, .	10,764 52	1,708 51	-	290 57	230,193 34	350,000 00	1,500 00
Lewis Warner,	Hampshire, .	4,398 54	11 38	1,278 49	-	74,856 27	94,000 00	800 00
Joseph O. Hayden,	Middlesex, .	3,750 84	-	43,592 17	-	740,282 26	155,000 00	2,500 00
Samuel Swain,	Nantucket, .	135 17	233 01	-	-	4,062 49	-	150 00
Charles H. Smith,	Norfolk, .	18,535 72	1,491 93	3,706 88	3,000 00	208,526 97	-	1,200 00
Albert Davis,	Plymouth, .	3,970 70	602 34	12,747 88	-	170,121 84	65,000 00	1,200 00
Edward A. Brown,	Worcester, .	8,476 36	880 53	85,934 27	-	285,380 15	-	2,200 00
		\$76,808 00	\$7,621 60	\$438,363 02	\$13,753 65	\$2,914,117 05	-	-

TABLE No. 2. — *Returns of Clerks of Courts for the Year ending Dec. 31, 1890.*

RECEIPTS.

CLERK OF COURT.	County.	Fees accrued prior to July 1, 1888.	Sales of Writs.	Civil Entries.	Term Fees.	Executions.	Certificates and Affidavits.	Orders and Copies.	Naturalization.	Printing Law Cases.	Payments into Court under Statute and Rules of Court.	From Other Sources.	Balance on Hand Jan. 1, 1889.	Total Receipts.
Smith K. Hopkins,	Barnstable,	-	\$3 75	\$204 00	-	-	\$28 25	\$19 25	\$6 00	\$101 00	-	\$15 00	-	\$377 25
Henry W. Taft,	Berkshire,	-	15 85	6 87	-	-	215 68	49 75	-	118 00	\$925 00	203 80	\$538 54	2,753 62
Simeon Borden,	Bristol,	-	42 05	1,767 00	-	\$1 50	57 75	219 00	-	514 75	196 93	471 55	-	3,270 53
Samuel Keniston,	Dukes Co.,	-	55	-	-	-	-	5 40	1 00	15 00	100 00	-	-	166 95
Dean Peabody,	Essex,	-	49 20	2,775 00	-	16 50	319 49	559 89	-	1,192 00	9,071 02	130 40	2,030 94	16,144 14
Edward E. Lyman,	Franklin,	-	6 82	366 00	-	-	175 23	74 60	162 00	7 00	12 50	534 27	50	1,338 92
Robert O. Morris,	Hampden,	\$68 93	38 80	1,767 00	\$23 55	-	246 75	297 55	418 00	39 00	2,329 73	15 00	4,825 34	10,069 65
William H. Clapp,	Hampshire,	12 19	10 45	501 00	3 20	1 00	183 00	110 75	59 00	110 25	1,000 00	17 05	60 95	2,068 84
Theodore C. Hurd,	Middlesex,	32 90	47 15	4,020 00	38 40	-	131 52	818 70	-	749 90	12,950 00	20 25	1,147 45	19,956 27
Josiah F. Murphy,	Nantucket,	-	1 15	54 00	-	-	18 25	13 00	1 00	-	-	3 00	-	90 40
Erastus Worthington,	Norfolk,	16 20	25 55	1,161 00	71 70	7 25	153 75	158 80	7 00	176 00	75 00	225 80	47 55	2,125 30
Edward E. Hobart,	Plymouth,	-	8 80	822 00	-	25	34 00	42 70	-	-	-	20 50	-	928 25
John Noble (Supreme Judicial),	Suffolk,	-	4 90	1,740 00	39 40	1 50	378 00	313 00	-	1,651 50	3,698 67	2,004 84	18,510 60	28,342 41
Joseph A. Willard (Superior Civil),	Suffolk,	-	338 95	12,633 00	241 80	84 00	1,506 50	1,205 65	-	2,381 00	7,517 07	1,032 09	1,776 95	28,737 01
John P. Manning (Superior Criminal),	Suffolk,	-	-	-	-	-	-	-	6 00	-	16,720 00	185 55	6,300 00	23,211 55
Theodore S. Johnson,	Worcester,	255 30	41 50	2,550 00	45 60	11 00	241 65	393 15	455 00	-	435 77	620 20	1,976 80	7,055 97
		\$415 52	\$635 47	\$31,047 00	\$463 65	\$123 00	\$3,089 82	\$4,280 89	\$1,115 00	\$7,055 40	\$55,031 69	\$5,519 00	\$37,215 62	\$146,637 06

TABLE No. 2. — *Returns of Clerks of Courts for the Year ending Dec. 31, 1890* — Concluded.

EXPENDITURES.

CLERK OF COURT.	County.	Paid County Treasury.	Paid from Amounts held under Statute, and by Order of Court.	Paid for Printing Law Cases.	Retained Half Excess Fees accrued prior to July 1, 1888.	Paid Other Parties.	Balance on Hand Dec. 31, 1890.	Total Expenditures.	Salary.
Smith K. Hopkins,	Barnstable, . . .	\$288 25	-	\$89 00	-	-	-	\$377 25	\$1,000 00
Henry W. Taft, . .	Berkshire, . . .	1,447 65	\$200 00	118 00	-	-	\$987 97	2,753 62	2,800 00
Simeon Borden, . .	Bristol, . . .	2,558 85	-	514 75	-	-	196 93	3,270 53	4,000 00
Samuel Keniston, .	Dukes County, .	51 95	100 00	15 00	-	-	-	166 95	600 00
Dean Peabody, . .	Essex, . . .	3,850 18	3,085 38	1,192 00	-	\$33 00	7,983 58	16,144 14	5,200 00
Edward E. Lyman,	Franklin, . . .	1,325 92	5,613 24	51 00	\$34 46	-	13 00	1,338 92	1,800 00
Robert O. Morris,	Hamden, . . .	2,829 12	1,000 00	-	6 09	-	1,541 83	10,069 65	3,500 00
William H. Clapp,	Hampshire, . .	993 65	12,481 70	-	16 45	-	69 10	2,068 84	2,300 00
Theodore C. Hurd,	Middlesex, . . .	5,842 37	-	-	-	-	1,615 75	19,956 27	6,000 00
Josiah F. Murphy,	Nantucket, . . .	90 40	-	176 00	-	-	-	90 40	600 00
Erastus Worthington,	Norfolk, . . .	1,818 65	75 00	-	8 10	-	47 55	2,125 30	2,800 00
Edward E. Hobart,	Plymouth, . . .	928 25	-	1,651 50	-	196 94	22,209 27	928 25	2,000 00
John Noble (Supreme Judicial),	Suffolk, . . .	4,284 70	-	2,381 00	-	51 00	9,294 02	28,342 41	6,500 00
Joseph A. Willard (Superior Civil),	Suffolk, . . .	17,010 99	18,420 00	-	-	-	3,300 00	28,737 01	6,500 00
John P. Manning (Superior Criminal),	Suffolk, . . .	1,491 55	1,850 77	-	-	-	462 85	23,211 55	6,000 00
Theodore S. Johnson, .	Worcester, . . .	4,599 70	-	-	142 65	-	-	7,055 97	5,200 00
		\$49,412 18	\$42,826 09	\$6,188 25	\$207 75	\$280 94	\$47,721 85	\$146,637 06	-

TABLE No. 3. — *Returns of District Courts for the Year ending Dec. 31, 1890.*

RECEIPTS.

	From Defend- ante' Fines.	From Defend- ants' Costs.	From Defend- ants' Forfeit- ures.	Complainants in Bastardy Cases.	Defendants in Bastardy (Bonds).	Bail Depos- ited in Lieu of Surety.	Sale of Writs.	Entries.	Other Civil Fees.
William P. Reynolds, justice, Hyannis,*	\$77 01	\$72 00	-	-	-	-	\$8 86	\$27 00	\$-
James H. Hopkins, justice, Provincetown,*	681 00	213 72	-	-	-	-	3 95	17 00	\$15 70
Henry Robinson, clerk, North Adams,	1,949 46	1,309 00	-	-	-	-	10 60	136 00	10 86
W. B. Smith, clerk, Pittsfield,	1,883 00	1,967 75	-	\$1 50	\$2 00	\$75 00	19 50	197 00	25 75
D. J. Coleman, clerk, Great Barrington,	580 38	848 74	-	-	-	1,000 00	11 05	68 00	16 05
A. B. Leonard, clerk, Fall River,	4,046 01	4,786 77	-	39 16	-	-	21 20	134 00	40 80
T. J. Cobb, clerk, New Bedford,	3,861 18	2,037 07	\$50 00	12 00	3 00	-	33 90	176 00	90 75
A. M. Alger, clerk, Taunton,	1,512 00	1,181 31	-	2 00	-	-	21 35	130 00	49 00
G. W. Cate, justice, Amesbury,	1,142 00	677 87	-	-	-	-	7 85	59 00	8 50
W. P. Andrews, clerk, Salem,	3,793 00	449 77	-	-	-	500 00	36 10	238 00	95 70
George Robinson, justice, Palmer,	477 62	437 86	-	-	-	125 00	11 55	67 00	4 00
A. S. Kneil, clerk, Westfield,	519 00	293 64	-	6 00	-	-	10 40	76 00	14 75
H. H. Chilson, clerk, Northampton,	680 00	1,017 61	-	5 00	-	-	28 20	126 00	10 00
G. W. Sanderson, clerk, Ayer,	290 48	298 94	-	-	-	-	5 20	37 00	1 75
J. H. Keyes, justice, Concord,	514 00	274 68	-	-	-	300 00	7 70	37 00	8 25
J. H. Ladd, clerk, South Framingham,	1,297 00	691 76	-	6 50	3 00	-	20 65	142 00	104 70
W. N. Tyler, clerk, Malden,	3,505 50	1,744 82	-	12 00	-	400 00	48 45	460 00	249 39
E. W. Law, clerk, Cambridge,	5,145 22	921 38	-	10 50	-	500 00	44 50	409 00	340 00
Dudley Roberts, clerk, Waltham,	2,586 63	1,126 25	-	1 50	-	500 00	20 91	103 00	43 07
B. E. Bond, clerk, Woburn,	2,063 01	1,151 55	35 00	12 50	-	-	10 85	76 00	21 00
J. F. S. Churchill, clerk, Quincy,	2,426 69	2,557 95	-	3 00	-	-	21 95	188 00	160 70
O. W. Soule, clerk, Abington,*	1,941 50	2,139 82	-	-	-	-	4 00	20 00	36 25
W. L. Chipman, clerk, Wareham,	1,222 01	476 84	-	-	-	-	2 15	20 00	1 25
B. A. Hathaway, clerk, Plymouth,	553 50	322 48	-	-	-	-	3 05	14 00	3 25
A. A. Putnam, justice, Uxbridge,	2,396 00	1,276 18	-	2 25	-	-	6 95	29 00	13 55
R. E. Howard, clerk, Clinton,	1,084 00	832 21	-	3 00	-	-	13 10	69 00	9 50
Charles B. Boyce, clerk, Gardner,	1,166 55	807 48	-	-	-	-	28 60	108 00	23 25
C. A. Dewey, justice, Milford,	1,044 02	624 90	30 00	1 50	3 00	-	7 89	20 00	4 91
E. T. Raymond, clerk, Worcester,	8,972 58	3,945 50	-	-	-	2,850 00	83 20	887 00	288 05
Clark Jilson, justice, Southbridge,	1,412 00	620 26	-	-	-	-	12 45	108 00	10 95
Edward C. Bates, justice, Westborough,	889 92	463 99	-	-	-	-	3 35	39 00	1 25
	\$60,312 27	\$35,570 10	\$115 00	\$118 51	\$11 00	\$6,350 00	\$594 11	\$4,197 00	\$1,702 93

* Court established May 1, 1890.

TABLE No. 3. — Returns of District Courts for the Year ending Dec. 31, 1890 — Continued.

RECEIPTS.

		Natural-ization.	Fees not payable to Public Authority.	Money paid into Court.	From County Salary.	From County Criminal Coats.	City or Town — Coats in By-Laws.	From County Treasurer Advances for Fees.	Balance on Hand Jan. 1, 1890.	Total Receipts.
William P. Reynolds, justice, Hyannis,*	First District Barnstable, .	—	—	—	\$500 00	\$121 41	—	\$35 50	—	\$841 78
James H. Hopkins, justice, Provincetown,*	Second District Barnstable, .	—	—	—	666 66	—	—	—	—	1,368 03
Henry Robinson, clerk, North Adams,	Northern Berkshire, .	\$205 00	\$90 00	—	800 00	560 05	—	—	—	5,070 97
W. B. Smith, clerk, Pittsfield,	Central Berkshire, .	234 00	102 50	—	800 00	—	—	50 00	—	5,283 00
D. J. Coleman, clerk, Great Barrington,	Southern Berkshire, .	56 00	63 75	\$114 60	500 00	—	—	—	\$100 75	2,494 32
A. B. Leonard, clerk, Fall River,	Second District Bristol, .	682 00	227 05	—	1,800 00	9,066 51	—	—	554 99	22,908 49
T. J. Cobb, clerk, New Bedford,	Third District Bristol, .	474 00	212 50	—	1,000 00	3,889 46	—	—	1,494 52	13,331 38
A. M. Alger, clerk, Taunton,	First District Bristol, .	158 00	42 00	—	1,100 00	5,050 48	—	—	700 06	10,049 20
G. W. Cate, justice, Amesbury,	Second District Essex, .	—	46 00	—	1,200 00	19 15	—	—	172 66	3,933 03
W. P. Andrews, clerk, Salem,	First District Essex, .	181 00	107 70	—	1,300 00	93 45	\$2 60	—	1,224 90	8,022 22
George Robinson, justice, Palmer,	Eastern Hampden, .	—	31 00	—	1,200 00	50 00	—	—	6 99	2,411 02
A. S. Kneil, clerk, Westfield,	Western Hampden, .	28 00	62 50	—	500 00	—	—	—	—	1,510 29
H. H. Chilson, clerk, Northampton,	Hampshire, .	91 00	50 00	—	1,000 00	—	—	—	22 00	3,029 81
G. W. Sanderson, clerk, Ayer,	First District Northern Middlesex, .	71 00	8 00	—	600 00	499 66	—	—	—	1,792 03
J. S. Keyes, justice, Concord,	Central Middlesex, .	—	1 60	—	800 00	586 12	—	100 00	—	2,629 35
J. H. Ladd, clerk, South Framingham,	First District Southern Middlesex, .	37 00	84 25	5 00	800 00	1,865 72	—	—	315 52	5,373 10
W. N. Tyler, clerk, Malden,	First District Eastern Middlesex, .	33 00	63 50	—	1,300 00	4,017 20	—	—	1,966 25	13,800 11
E. W. Law, clerk, Cambridge,	Third District Middlesex, .	5 00	114 25	359 75	1,400 00	3,989 56	—	—	251 62	13,515 43
Dudley Roberts, clerk, Waltham,	Second District Eastern Middlesex, .	39 00	205 70	—	621 38	2,682 65	—	100 00	862 83	8,892 92
B. E. Bond, clerk, Woburn,	Fourth District Eastern Middlesex, .	45 00	100 75	—	800 00	2,356 60	—	—	2,408 53	9,080 79
J. P. S. Churchill, clerk, Quincy,	East Norfolk, .	148 00	17 00	384 90	705 79	3,868 24	—	—	—	10,482 22
O. W. Soule, clerk, Abington,	Second District Plymouth, .	25 00	47 50	—	650 00	1,540 92	—	—	640 50	7,045 49
W. L. Chipman, clerk, Wareham,	Fourth District Plymouth, .	7 00	20 00	—	500 00	451 24	—	—	117 75	2,818 24
B. A. Hathaway, clerk, Plymouth,	Third District Plymouth, .	25 00	62 00	—	500 00	304 46	—	—	270 06	2,037 80
A. A. Putnam, justice, Uxbridge,	Second District Southern Worcester, .	—	3 50	5 00	1,400 00	100 00	—	—	—	5,232 53
F. E. Howard, clerk, Clinton,	Second District Southern Worcester, .	182 00	56 00	—	600 00	—	—	—	24 38	2,873 19
Charles B. Boyce, clerk, Gardner,	First District Northern Worcester, .	93 00	77 00	—	800 00	—	—	—	283 60	3,387 48
C. A. Dewey, justice, Milford,	Third District Southern Worcester, .	—	31 00	—	1,600 00	147 80	—	—	2 10	3,517 12
E. T. Raymond, clerk, Worcester,	Central District Worcester, .	1,077 00	—	—	2,250 00	—	—	—	—	20,353 33
Clark Jilison, justice, Southbridge,	First District Southern Worcester, .	—	—	—	1,500 00	—	—	100 00	—	3,763 66
Edward C. Bates, justice, Westborough,	First District Eastern Worcester, .	—	—	—	1,000 00	72 40	22 63	—	—	2,492 54
		\$3,896 00	\$1,927 05	\$869 25	\$30,193 83	\$41,333 08	\$25 23	\$385 50	\$12,080 01	\$199,680 87

* Court established May 1, 1890.

TABLE No. 3. — *Returns of District Courts for the Year ending Dec. 31, 1890* — Continued.
EXPENDITURES.

	County Treasurer.	City or Town Treasurer.	Complain- ants or Informants.	Other Persons.	Officers.	Witnesses.
William P. Reynolds, justice, Hyannis,	\$38 35		-	-	\$178 58	\$113 20
James H. Hopkins, justice, Provincetown,	381 20	\$296 48	-	-	84 29	169 40
Henry Robinson, clerk, North Adams,	1,848 94	329 85	\$111 50	-	925 15	765 53
W. B. Smith, clerk, Pittsfield,	2,104 15	333 00	5 00	-	950 55	987 80
D. J. Coleman, clerk, Great Barrington,	645 49	155 50	-	\$294 60	592 43	189 00
A. B. Leonard, clerk, Fall River,	5,145 05	12,313 80	-	1,218 85	512 70	1,575 90
T. J. Cobb, clerk, New Bedford,	4,905 55	6,255 98	20 00	6 00	142 85	788 50
A. M. Alger, clerk, Taunton,	2,094 51	713 33	25 00	100 00	4,790 08	1,184 28
G. W. Cate, justice, Amesbury,	1,305 12	540 25	-	71 15	59 05	119 80
W. P. Andrews, clerk, Salem,	2,975 11	917 89	40 00	1,655 52	155 00	871 00
George Robinson, justice, Palmer,	347 36	73 62	-	25 00	442 54	186 28
A. S. Knell, clerk, Westfield,	582 15	226 27	10 00	5 00	62 27	62 10
H. H. Chilson, clerk, Northampton,	1,088 96	-	21 00	-	273 44	594 41
G. W. Sanderson, clerk, Ayer,	329 97	23 75	6 50	-	567 61	224 30
J. S. Keyes, justice, Concord,	381 62	143 65	29 40	300 00	613 04	325 03
J. H. Ladd, clerk, South Framingham,	1,581 77	326 46	15 00	-	1,808 58	441 30
W. N. Tyler, clerk, Malden,	4,240 40	-	200 00	661 33	4,023 06	1,483 40
E. W. Law, clerk, Cambridge,	5,196 98	5,491 25	-	641 40	113 15	558 40
Dudley Roberts, clerk, Waltham,	2,797 04	2,942 11	75 00	529 63	1,171 51	341 74
B. E. Bond, clerk, Woburn,	3,127 40	2,988 92	30 00	-	426 05	329 75
J. P. S. Churchill, clerk, Quincy,	2,379 37	40 00	77 42	-	6,024 84	1,237 80
O. W. Soule, clerk, Abington,	2,701 10	248 00	25 00	-	2,933 24	436 15
W. L. Chipman, clerk, Wareham,	1,314 76	82 70	15 00	30	780 27	95 20
B. A. Hathaway, clerk, Plymouth,	789 82	36 50	5 00	2 03	460 26	161 30
A. A. Putnam, justice, Uxbridge,	1,590 80	765 40	24 00	-	1,230 43	213 40
F. E. Howard, clerk, Clinton,	1,217 90	548 89	5 00	-	250 77	180 80
Charles B. Boyce, clerk, Gardner,	1,300 25	65 18	45 00	-	815 90	272 45
C. A. Dewey, justice, Milford,	754 87	95 98	50 00	5 00	815 77	111 20
E. T. Raymond, clerk, Worcester,	9,626 25	3,868 56	140 00	2,850 00	795 99	822 53
Clark Jilison, justice, Southbridge,	995 95	345 99	70 00	-	668 42	183 30
Edward C. Bates, justice, Westborough,	600 64	124 75	10 00	-	477 57	229 58
	\$64,388 83	\$40,494 06	\$1,054 82	\$8,365 81	\$33,145 39	\$15,254 83

TABLE No. 3. — *Returns of District Courts for the Year ending Dec. 31, 1890* — Concluded.

	Retained for Own Use.	Salary.	CASH BALANCE TO BE PAID.		Total Expenditures.
			Unclaimed. Fees.	Money subject to Order of Court.	
William P. Reynolds, justice, Hyannis, James H. Hopkins, justice, Provincetown, Henry Robinson, clerk, North Adams, W. B. Smith, clerk, Pittsfield, D. J. Coleman, clerk, Great Barrington, A. B. Leonard, clerk, Fall River, T. J. Cobb, clerk, New Bedford, A. M. Alger, clerk, Taunton, G. W. Gate, justice, Amesbury, W. P. Andrews, clerk, Salem, George Robinson, justice, Palmer, A. S. Kneil, clerk, Westfield, H. H. Chilson, clerk, Northampton, G. W. Sanderson, clerk, Ayer, J. S. Keyes, justice, Concord, J. H. Ladd, clerk, South Framingham, W. N. Tyler, clerk, Malden, E. W. Law, clerk, Cambridge, Dudley Roberts, clerk, Waltham, B. E. Bond, clerk, Woburn, J. P. S. Churchill, clerk, Quincy, O. W. Soule, clerk, Abington, W. L. Chipman, clerk, Wareham, B. A. Hathaway, clerk, Plymouth, A. A. Putnam, justice, Uxbridge, F. E. Howard, clerk, Clinton, Charles B. Boyce, clerk, Gardner, C. A. Dewey, justice, Milford, E. T. Raymond, clerk, Worcester, Clark J. Jilson, justice, Southbridge, Edward C. Bates, justice, Westborough,	- - \$90 00 102 50 63 75 223 40 212 50 42 00 46 00 107 70 31 00 62 50 52 00 8 00 84 25 63 50 114 25 205 70 100 75 17 00 47 50 20 00 62 00 3 50 56 00 77 00 31 00 - - -	\$500 00 666 66 800 00 800 00 500 00 1,800 00 1,000 00 1,100 00 1,200 00 1,300 00 1,200 00 500 00 1,000 00 600 00 800 00 1,300 00 1,400 00 621 38 800 00 705 79 650 00 500 00 500 00 1,400 00 600 00 800 00 1,000 00 2,250 00 1,500 00 1,000 00	\$11 65 - - - 18 35 108 79 - - - - - 2 22 - - 36 61 315 74 35 20 - 189 75 - 450 00 - 40 89 - 13 83 11 70 53 30 - - - - 50	- - - - \$35 20 100 00 - - 591 66 - - 103 00 - - 31 90 - 1,793 22 19 06 1,277 92 - - 10 01 5 00 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -	

TABLE No. 4. — *Returns of Police Courts for the Year ending Dec. 31, 1890.*

RECEIPTS.

	From Defend- ants. Fines.	From Defend- ants. Costs.	Complainants in Bastardy Cases.	Defendants in Bastardy (Bonds).	Bail deposited in Lieu of Surety.	Sale of Writs.	Entries.	Other Civil Fees.	Naturalization.
John Brunning, Justice, Lee,	\$873 40	\$415 83	-	-	-	\$4 90	\$17 00	\$1 75	-
Keyes Daurforth, Justice, Williamstown,	210 00	111 30	-	-	-	1 00	21 00	-	\$15 00
Sumner D. York, clerk, Gloucester,	2,347 04	1,479 85	-	-	\$300 00	35 05	262 00	41 75	103 00
Edward B. George, clerk, Haverhill,	2,306 04	1,647 52	-	-	-	17 35	161 00	15 45	182 00
H. F. Hopkins, clerk, Lawrence,	6,480 50	897 75	-	-	800 00	28 30	172 00	15 75	904 00
H. C. Oliver, clerk, Lynn,	4,748 00	2,877 73	-	-	-	54 25	435 00	301 00	94 00
E. F. Bariletti, clerk, Newburyport,	1,539 51	591 37	-	-	-	2 90	40 00	5 50	114 00
L. E. Hitchcock, Justice, Chicopee,	1,016 00	561 72	\$7 50	-	-	14 05	39 00	6 00	-
A. A. Tyler, clerk, Holyoke,	4,812 00	2,028 56	4 50	-	920 00	52 65	232 00	32 25	587 00
George Leonard, clerk, Springfield,	5,043 00	2,595 42	-	-	4,710 00	71 40	494 00	147 25	360 00
J. F. Savage, clerk, Lowell,	9,867 76	3,071 67	10 50	-	300 00	72 75	440 00	236 56	637 00
J. F. J. Outerson, clerk, Marlborough,	773 00	604 01	-	-	-	8 35	61 00	20 50	112 00
E. W. Cate, clerk, West Newton, ¹	794 00	466 20	0 00	\$1 00	-	3 25	29 00	18 75	10 00
H. L. Whittlesey, clerk, West Newton, ²	1,957 00	400 64	1 50	-	50 00	4 70	43 00	28 00	42 00
H. A. Chapin, clerk, Somerville,	2,850 11	1,679 21	15 00	-	-	18 05	145 00	110 88	11 00
Henry M. Williams, clerk, Brookline,	634 06	1,011 82	-	-	400 00	10 75	65 00	41 56	5 00
C. W. Robinson, clerk, Brockton, ³	2,035 00	2,622 19	-	-	213 00	3 70	147 00	8 50	159 00
Warren Goddard, clerk, Brockton, ⁴	288 00	7 90	-	-	-	5 45	36 00	1 75	66 00
A. A. Wilder, clerk, Chelsea,	2,671 00	1,759 66	3 00	-	200 00	20 00	205 00	27 20	7 00
W. G. Hayes, clerk, Fitchburg,	1,705 81	1,170 96	4 50	-	935 00	41 88	202 00	21 55	196 00
	\$53,271 23	\$26,001 31	\$52 50	\$1 00	\$8,928 00	\$470 73	\$3,246 00	\$1,081 95	\$3,605 00

¹ From Jan. 1 to June 15, 1890.

² From June 16 to Dec. 31, 1890.

³ From Jan. 1 to Oct. 25, 1890.

⁴ From Oct. 25 to Dec. 31, 1890.

TABLE No. 4. — Returns of Police Courts for the Year ending Dec. 31, 1890 — Continued.

RECEIPTS.

	Fees not payable to Public Authority.	Money paid into Court.	From County Salary.	From County Criminal Costs.	City or Towns. Costs in By-Laws.	From County Treasurer advanced for Fees.	Balance Jan. 1, 1890.	Total Receipts.
John Branning, justice, Lee.	-	-	\$800 00	-	-	\$50 00	-	\$2,162 88
Keyes Dauforth, justice, Williamstown.	-	-	300 00	\$24 25	-	-	-	683 55
Sumner D. York, clerk, Gloucester.	\$2 50	\$174 84	1,000 00	220 60	-	-	\$651 88	6,618 51
Edward B. George, clerk, Haverhill.	93 20	-	1,000 00	292 55	-	-	508 60	6,223 71
H. F. Hopkins, clerk, Lawrence.	386 25	80 00	1,200 00	-	-	-	2,228 04	13,190 59
H. C. Oliver, clerk, Lynn.	287 00	-	1,000 00	275 70	\$71 20	-	3,708 59	13,852 47
E. F. Bartlett, clerk, Newburyport.	36 50	-	800 00	153 60	-	-	571 61	4,174 99
L. E. Hitchcock, justice, Chicopee.	64 00	-	1,000 00	-	-	-	1 22	2,709 49
A. A. Tyler, clerk, Holyoke.	266 75	-	1,300 00	455 91	14 85	-	-	10,706 47
George Leonard, clerk, Springfield.	-	38 88	1,400 00	-	-	-	257 30	15,117 25
J. F. Savage, clerk, Lowell.	387 10	-	1,800 00	11,268 25	14 61	-	2,369 36	30,475 56
J. F. J. Otterson, clerk, Marlborough.	57 50	-	500 00	706 84	-	-	-	2,843 20
E. W. Cate, clerk, West Newton. ¹	16 00	-	320 82	843 10	51 05	-	1,235 03	3,794 20
II. L. Whittlesey, clerk, West Newton. ²	38 00	-	379 00	766 27	-	100 00	-	3,810 11
II. A. Chapin, clerk, Somerville.	300 00	-	1,000 00	2,889 18	112 04	112 94	1,638 67	10,882 08
Henry M. Williams, clerk, Brookline.	29 50	-	569 43	586 94	25 00	-	1,202 48	8,379 06
C. W. Robinson, clerk, Brockton. ³	153 50	-	-	1,872 17	-	-	-	8,416 54
Warren Goddard, clerk, Brockton. ⁴	15 00	5 00	1,000 00	667 83	-	50 00	-	1,142 93
A. A. Wilder, clerk, Chelsea.	38 25	28 70	-	407 97	-	-	-	6,367 78
W. G. Hayes, clerk, Fitchburg.	408 25	87 60	800 00	425 55	-	-	1,010 28	7,009 38
	\$2,579 30	\$415 02	\$16,169 25	\$21,856 71	\$288 75	\$312 94	\$15,381 06	\$153,560 75

¹ From Jan. 1 to June 15, 1890.² From June 16 to Dec. 31, 1890.³ From Jan. 1 to Oct. 25, 1890.⁴ From Oct. 25 to Dec. 31, 1890.

TABLE No. 4. — *Returns of Police Courts for the Year ending Dec. 31, 1890* — Concluded.

EXPENDITURES.

	County	City or Town	Treasurer.	Complainants or Informants.	Other Persons.	Officers.	Witnesses.	Retained for own Use.	Salary.	CASH BALANCE TO BE PAID.		Total Expenditures.
										Unclaimed Fees.	Money subject to Order of Court.	
John Branning, justice, Lee,	\$873 40		\$46 76	\$10 00	\$10 00	\$194 54	\$228 18	-	\$800 00	-	-	\$2,162 88
Keyes Danforth, justice, Williamstown,	272 25		-	-	-	86 15	25 15	-	300 00	-	-	683 55
S. D. York, clerk, Gloucester,	2,679 33	1,857 63	1,857 63	45 00	475 19	71 30	372 52	\$2 50	1,000 00	\$115 04	-	6,618 51
E. B. George, clerk, Haverhill,	2,253 30	766 24	766 24	-	20 00	999 96	915 35	93 20	1,000 00	175 65	-	6,223 71
H. F. Hopkins, clerk, Lawrence,	6,213 69	834 31	834 31	101 00	680 00	146 67	644 40	386 25	1,200 00	-	\$2,984 27	13,190 59
H. C. Oliver, clerk, Lynn,	4,782 65	4,437 37	4,437 37	10 00	10 00	61 37	465 10	287 00	1,000 00	-	2,798 98	13,852 47
E. C. Bartlett, clerk, Newburyport,	1,939 28	490 38	490 38	-	-	33 59	386 90	36 50	800 00	-	468 34	4,171 99
L. E. Hitchcock, justice, Chicopee,	670 84	589 78	589 78	32 50	767 50	37 77	314 60	64 00	1,000 00	-	-	2,709 49
A. A. Tyler, clerk, Holyoke,	5,366 25	1,009 05	1,009 05	10 00	5,080 38	1,114 47	827 45	266 75	1,300 00	-	12 50	10,706 47
George Leonard, clerk, Springfield,	4,849 91	1,225 02	1,225 02	-	402 60	1,633 24	916 20	-	1,400 00	-	-	15,117 25
J. F. Savage, clerk, Lowell,	10,934 24	11,494 39	11,494 39	58 05	1,950 00	176 61	1,538 22	387 10	1,800 00	-	3,684 35	30,475 56
J. F. J. Otterson, clerk, Marlborough,	701 90	1,408 35	1,408 35	-	1 95	9 80	163 70	57 50	500 00	-	-	2,843 20
E. W. Cate, clerk, West Newton,	1,815 06	1,492 59	1,492 59	-	10 00	3 48	117 10	16 00	320 82	-	19 15	3,794 20
H. L. Whittlesey, clerk, West Newton,	1,235 64	1,434 50	1,434 50	-	427 31	42 07	231 77	38 00	379 00	-	21 82	3,810 11
H. A. Chapin, clerk, Somerville,	2,652 85	6,335 85	6,335 85	95 00	9 03	-	489 35	300 00	1,000 00	-	-	10,882 08
H. M. Williams, clerk, Brookline,	380 34	25 00	25 00	46 00	417 04	1,279 60	289 33	29 50	560 43	-	362 82	3,379 06
C. W. Robinson, clerk, Brockton, ¹	2,675 17	2,600 00	2,600 00	10 00	213 00	323 27	251 10	153 50	-	-	2,190 50	8,416 54
Warren Goddard, clerk, Brockton, ²	110 28	755 56	755 56	10 00	7 00	200 29	37 30	15 00	1,000 00	17 50	-	1,142 93
A. A. Wilder, clerk, Chelsea,	1,842 20	2,633 51	2,633 51	103 00	229 84	12 40	508 58	38 25	-	-	-	6,367 78
W. G. Hayes, clerk, Fitchburg,	1,878 59	471 10	471 10	7 50	1,935 00	747 76	665 70	408 25	800 00	-	95 48	7,009 38
	\$54,127 17	\$39,907 39	\$39,907 39	\$528 05	\$10,695 84	\$7,174 34	\$9,388 00	\$2,579 30	\$16,169 25	\$308 20	\$12,638 21	\$153,560 75

¹ From Jan. 1 to Oct. 25, 1890.

² From Oct. 25 to Dec. 31, 1890.

TABLE No. 5. — *Returns of Municipal Courts for the Year ending Dec. 31, 1890.*
 RECEIPTS.

	From Defendants. Fines.	From Defendants. Costs.	From Defendants. Forfeitures.	For Copies.	From Complain- ants in Bastardy Process.	From Defendants in Bastardy Bonds.	Bail Fees, etc., not pay- able to Public Authority.
Boston (Criminal), Fred. C. Ingalls, clerk,	\$41,454 62	\$2,597 91	-	\$44 50	\$76 50	\$14 00	\$89 25
Boston (Civil), John F. Brown, clerk,	-	-	-	-	-	-	83 75
Brighton District, Henry Baldwin, justice,	2,159 29	522 50	-	6 50	3 00	1 00	-
Charlestown District, Daniel Williams, clerk,	5,861 01	812 14	-	-	-	-	218 00
Dorchester District, N. T. Merritt, Jr., clerk,	3,325 03	741 74	-	-	-	-	407 75
East Boston District, W. S. Allen, clerk,	4,140 01	595 06	-	-	1 50	1 00	354 00
Roxbury District, Alfred Williams, clerk,	11,076 91	1,841 64	-	35 25	10 50	2 00	-
South Boston District, Frank J. Tuttle, clerk,	7,233 52	2,116 07	\$168 00	35 00	6 00	-	950 00
West Roxbury District, Ed. W. Brewer, clerk,	1,215 04	198 45	-	-	6 00	-	80
	\$75,465 43	\$9,425 51	\$168 00	\$121 25	\$103 50	\$18 00	\$2,103 55

TABLE No. 5. — *Returns of Municipal Courts for the Year ending Dec. 31, 1890* — Continued.

RECEIPTS.

	Ball Deposited in lieu of Sureties.	From County Salary.	From County Treasurer. Witness Fees, etc.	From Parties in Civil Cases.	From Other Parties.	Balance Jan. 1, 1890.	Total Receipts.
Boston (Criminal), Fred. C. Ingalls, clerk,	\$15,692 00	\$3,000 00	-	-	-	\$500 00	\$63,468 78
Boston (Civil), John F. Brown, Clerk,	-	3,000 00	-	\$12,099 71	-	-	15,783 46
Brighton District, Henry Baldwin, justice,	-	1,200 00	-	46 20	-	-	3,938 49
Charlestown District, Daniel Williams, clerk,	904 00	1,300 00	-	182 90	-	-	9,338 05
Dorchester District, N. T. Merritt, Jr., clerk,	500 00	900 00	-	48 30	-	576 06	6,498 88
East Boston District, W. S. Allen, clerk,	-	1,400 00	\$599 60	56 90	-	1,188 75	8,336 83
Roxbury District, Alfred Williams, clerk,	9,018 00	1,200 00	2,619 49	286 14	-	3,417 09	29,507 02
South Boston District, Frank J. Tuttle, clerk,	500 00	1,400 00	-	-	\$146 35	99 10	12,654 04
West Roxbury District, Ed. W. Brewer, clerk,	310 00	800 00	-	79 60	403 00	100 00	3,192 09
	\$26,984 00	\$14,200 00	\$3,219 09	\$13,399 75	\$549 35	\$5,881 01	\$152,717 64

TABLE No. 5. — Returns of Municipal Courts for the Year ending Dec. 31, 1890 — Concluded.

EXPENDITURES.

	Paid County Collector.	Paid Complaints or Informants.	Witness Fees.	Bail Money Returned to Defendants.	Bail Paid Clerk Superior Court.	Officers for Expenses.	Paid Other Persons.	Retained Fees, Bail, etc.	Salary.	Balance on Hand Dec. 31, 1890.	Total Expenditures.
Boston (Criminal), Fred C. Ingalls, clerk, .	\$43,188 58	\$5 00	\$1,188 00	\$15,912 00	-	\$85 95	-	\$89 25	\$2,000 00	-	\$63,498 78
Boston (Civil), John F. Brown, clerk, .	12,099 71	-	-	-	-	-	-	83 75	3,000 00	-	15,783 46
Brighton District, Henry Baldwin, justice,	2,693 49	45 00	-	-	-	-	-	-	1,200 00	-	3,938 49
Charlestown District, Daniel Williams, clerk,	6,791 05	65 00	-	-	-	-	-	218 00	1,300 00	\$964 00	9,338 05
Dorchester District, N.T. Merritt, Jr., clerk,	3,273 61	10 00	321 80	500 00	-	10 48	\$19 40	407 75	900 00	1,056 04	6,498 83
East Boston District, W. S. Allen, clerk, .	5,868 23	15 00	599 60	-	-	-	-	354 00	1,400 00	100 00	8,336 83
Roxbury District, Alfred Williams, clerk, .	14,060 50	25 00	2,574 50	7,098 00	\$1,000 00	-	47 19	35 25	1,200 00	2,863 53	29,507 02
South Boston District, Frank J. Tuttle, clerk,	9,769 04	-	-	-	-	-	-	985 00	1,400 00	500 00	12,654 04
West Roxbury District, Ed. W. Brewer, clerk,	1,481 79	30 00	-	-	-	-	800 30	80	800 00	-	3,192 09
	\$90,826 00	\$195 00	\$4,683 70	\$23,510 00	\$1,600 00	\$96 43	\$866 89	\$2,173 80	\$14,200 00	\$5,486 62	\$152,717 64

TABLE No. 6. — *Returns of Trial Justices for the Year ending Dec. 31, 1890.*
RECEIPTS.

NAME.	Town.	County.	From Defendants. Fines.	From Defendants. Costs.	Civil Fees. Entries.	Civil Fees. Inquests.	Civil Fees. Poor Debtor Proceedings.
Smith K. Hopkins,	Barnstable,	Barnstable,	\$16 00	\$20 71	\$19 00	\$15 00	-
George Godfrey,	Chatham,	"	-	40 17	9 65	-	-
Shubael B. Kelley,	Hywheehport,	"	-	-	-	-	-
Theodore F. Bassett,	Hyannis,	"	-	5 45	-	-	-
Eben S. Whittemore,	Sandwich,	"	10 00	114 31	-	-	-
George T. Weyer,	Wellfleet,	"	21 00	34 21	-	-	-
George A. Shepard,	Sandisfield,	"	-	-	-	-	-
Henry J. Dunham,	Stockbridge,	Berkshire,	30 00	-	-	-	-
William C. Spaulding,	West "	"	18 00	-	6 00	-	-
Beriah T. Hillman,	Chilmark,	"	8 00	76 21	-	-	-
Charles J. Melvaine,	Edgartown,	Dukes County,	100 00	-	-	-	\$5 00
George H. Poor,	Andover,	"	57 00	213 29	9 00	-	-
Orlando B. Tenney,	Georgetown,	Essex,	86 00	159 19	-	-	-
Charles A. Sayward,	Ipawich,	"	151 00	158 79	-	-	-
Stephen Gilman,	Lynnfield,	"	-	186 78	-	-	-
William C. Fabens,	Marblehead,	"	455 60	-	1 00	-	5 00
William Nutting, Jr.,	Marblehead,	"	304 00	294 64	-	-	-
William M. Rogers,	Methuen,	"	47 03	127 95	-	-	-
Joseph T. Wilson,	Nahant,	"	35 00	135 34	-	-	-
Amos Merrill,	Peabody,	"	745 00	39 40	-	-	-
J. Scott Todd,	Rowley,	"	23 00	843 11	-	-	-
Henry W. Billings,	Conway,	"	5 00	30 63	1 00	-	-
Dexter F. Hager,	South Deerfield,	Franklin,	51 00	12 20	-	-	-
Fred L. Greene,	Greenfield,	"	174 50	84 82	6 00	-	-
Dana Malone,	Greenfield,	"	237 00	192 07	21 45	-	-
Erastus F. Gunn,	Montague,	"	3 00	174 10	14 75	-	-
Charles Fomeroy,	Northfield,	"	3 00	68 71	4 00	-	-
Rufus D. Chase,	Orange,	"	48 00	83 50	5 00	-	-
Vaniah M. Porter,	Rowe,	"	26 60	-	-	20 00	-
Samuel D. Bardwell,	Shelburne Falls,	"	6 00	91 96	13 00	-	-
William S. Dana,	Turner's Falls,	"	279 00	335 03	-	-	-

TABLE No. 6. — *Returns of Trial Justices for the Year ending Dec. 31, 1890* — Continued.

RECEIPTS.

NAME.	Town.	County.	From Defendants. Fines.	From Defendants. Costs.	Civil Fees, Entries.	Civil Fees, Inquests.	Civil Fees, Poor Debtor Proceedings.
Charles F. Grosvenor,	Ludlow,	Hampden,	\$12 20	\$42 80	—	\$22 00	—
George L. Hemenway,	Hopkinton,	Middlesex,	335 00	352 85	\$5 50	40 20	—
William Nutt,	Natick,	"	487 00	673 00	34 00	—	\$31 00
James F. Joslin,	Hudson,	"	346 00	641 80	—	—	—
Thomas B. Field,	Nantucket,	Nantucket,	16 00	115 70	5 00	—	—
Allen Coffin,	Nantucket,	"	8 00	48 00	—	—	—
Nathan A. Cook,	Bellingham,	"	6 00	27 51	6 00	—	—
Thomas E. Grover,	Canton,	Norfolk,	181 05	778 01	3 00	51 95	12 00
Alonzo B. Wentworth,	Dedham,	"	98 00	60 36	9 45	12 35	—
Thomas H. Wakefield,	Dorchester,	"	211 01	487 70	25 00	—	24 50
Robert W. Carpenter,	Foxborough,	"	329 84	—	—	—	—
George W. Wiggins,	Franklin,	"	140 00	97 51	—	—	—
Henry B. Terry,	Hyde Park,	"	104 00	363 40	68 30	—	—
Emery Grover,	Nedham,	"	234 00	380 84	4 00	—	10 00
John C. Laue,	Norwood,	"	131 00	74 87	6 00	—	5 00
Oscar A. Marden,	Stoughton,	"	162 50	552 80	19 00	10 60	6 00
Charles E. Washburne,	Wellesley,	"	68 00	371 97	—	—	2 00
Peter Daley,	Walpole,	"	13 00	43 98	5 00	—	—
Samuel Warner,	Wrentham,	"	157 00	239 29	10 00	—	—
Charles H. Follansby,	Barre,	Worcester,	5 00	15 76	2 00	—	—
George S. Duell,	Brookfield,	"	610 20	864 02	—	—	—
Henry A. Farwell,	Hubbardston,	"	—	—	3 00	—	—
Chauncy W. Carter,	Leominster,	"	49 00	161 41	4 00	—	—
Hamilton Mayo,	Leominster,	"	39 00	124 06	—	—	—
Sylvander Bothwell,	North Brookfield,	"	436 00	304 20	5 00	—	—
Luther Hill,	Spencer,	"	1,608 00	1,446 90	—	—	—
John W. Tyler,	Warren,	"	436 00	503 06	—	—	—
Horace W. Bush,	West Brookfield,	"	162 00	324 98	—	—	—
Frank B. Spalter,	Winchendon,	"	198 00	187 29	—	7 20	—
			\$9,525 53	\$12,795 69	\$323 65	\$200 75	\$100 50

TABLE No. 6. — *Returns of Trial Justices for the Year ending Dec. 31, 1890* — Continued.

RECEIPTS.

NAME.	County.	Town.	FROM COUNTY TREASURER.				Civil Fees.	Miscellaneous.	Fees advanced by Justice.	Balance on Hand Jan. 1, 1890.	Total Receipts.
			Justice Fees.	Officers' Fees.	Witness Fees.	Advanced for Fees.					
Smith K. Hopkins,	Barnstable,	Barnstable,	\$129 65	\$107 80	-	\$75 00	\$9 00	-	-	\$28 80	\$461 16
George Godfrey,	Chatham,	"	-	11 23	-	-	-	-	-	-	78 62
Shubael B. Kelley,	Harwichport,	"	12 05	50 93	-	-	-	-	-	6 41	28 28
Theodore F. Basset,	Hyannisport,	"	35 10	-	-	-	-	-	-	-	97 89
Eben S. Whittemore,	Sandwich,	"	-	26 13	\$9 00	-	-	-	-	28 73	162 04
George T. Wyer,	Wellfleet,	"	42 40	-	3 30	-	-	-	-	41 68	165 42
George A. Shepard,	Sandisfield,	Berkshire,	-	-	-	-	5 34	-	-	-	8 64
Henry J. Dunham,	Stockbridge,	"	51 70	34 45	-	-	-	-	-	1 40	117 55
William C. Spaulding,	West "	"	15 40	-	19 60	-	-	-	-	-	135 71
Beriah T. Hillman,	Chilmark,	"	37 10	75 76	44 80	7 00	-	-	-	28 40	201 06
Charles J. McIlvaine,	Edgartown,	"	70 35	213 26	31 30	-	5 93	\$7 00	-	-	755 13
George H. Poor,	Andover,	Essex,	71 25	-	2 10	-	-	-	-	12 92	392 40
Orlando B. Tenney,	Georgetown,	"	23 60	-	14 70	-	-	-	-	26 75	309 84
Charles A. Sayward,	Ipswich,	"	11 00	-	13 90	-	-	-	-	34 96	397 64
Stephen Gilman,	Lynnfield,	"	-	-	-	-	1 25	-	8 80	5 00	15 05
William C. Fabens,	Marblehead,	"	78 39	-	28 20	-	30	-	9 16	-	872 29
William Nutting, Jr.,	Marblehead,	"	55 45	-	14 40	-	-	-	-	45 62	547 42
William M. Rogers,	Marblehead,	"	146 20	-	38 65	-	-	-	-	5 02	372 24
Joseph T. Wilson,	Marblehead,	"	-	-	-	-	-	-	-	-	74 40
Amos Merrill,	Nahant,	"	-	-	-	-	-	-	-	-	2,296 93
J. Scott Todd,	Peabody,	"	512 50	-	44 15	-	-	-	-	146 27	168 03
Henry W. Billings,	Rowley,	"	51 50	-	49 80	-	-	-	-	13 00	17 50
Dexter F. Hager,	Coway,	"	-	-	-	-	4 00	-	2 69	6 20	261 81
Fred L. Greene,	So. Deerfield,	"	49 00	-	58 10	-	3 70	-	-	63 50	993 13
Dana Malone,	Greenfield,	"	340 26	-	143 20	-	-	-	-	-	680 31
Erasus F. Gunn,	Greenfield,	"	154 56	-	99 90	-	-	-	-	-	213 61
Charles D. Chase,	Montague,	"	70 65	-	43 90	-	-	-	1 10	5 00	33 58
Charles Pomeroy,	Northfield,	"	10 59	-	4 20	-	6 83	-	-	-	191 50
Rufus D. Porter,	Orange,	"	-	8 04	29 60	5 40	1 67	-	-	-	28 27
Vanish M. Porter,	Rowe,	"	-	-	-	-	-	-	-	-	275 75
Samuel D. Bardwell,	Shelborne Falls,	"	120 95	-	11 00	-	-	-	32 84	-	1,105 04
William S. Dana,	Turner's Falls,	"	314 86	-	75 00	-	-	-	-	101 10	-

TABLE NO. 6. — *Returns of Trial Justices for the Year ending Dec. 31, 1890* — Continued.
RECEIPTS.

NAME.	County.	Town.	FROM COUNTY TREASURER.				Civil Fees.	Miscellaneous.	Fees advanced by Justice.	Balance on Hand Jan. 1, 1890.	Total Receipts.
			Justice Fees.	Officers' Fees.	Witness Fees.	Advanced for Fees.					
Charles F. Grosvenor,	Ludlow,	Hampden,	\$4 60	—	\$2 50	—	—	—	\$0 60	—	\$84 70
George L. Hemenway,	Hopkinton,	Middlesex,	137 35	\$256 42	44 60	—	—	\$17 50	—	\$118 60	1,308 02
William Nutt,	Natick,	"	612 80	712 85	66 00	—	\$22 00	26 90	—	17 70	2,665 85
James T. Joslin,	Hudson,	"	164 95	319 72	55 95	—	—	—	11 60	—	1,557 72
Thomas B. Field,	Nantucket,	Nantucket,	—	—	—	—	4 25	—	—	26 80	167 75
Allen Coffin,	Nantucket,	"	63 80	102 81	32 45	—	—	—	—	33 15	288 21
Nathan A. Cook,	Bellingham,	"	73 90	137 87	26 10	—	—	—	—	—	276 88
Thomas E. Grover,	Canton,	Norfolk,	1,227 25	1,994 73	63 12	—	—	6 15	—	—	4,317 26
Alonzo B. Wentworth,	Dedham,	"	185 70	245 10	35 20	—	—	—	—	233 04	939 20
Thomas H. Wakefield,	Dedham,	"	166 50	190 39	52 50	—	32 15	—	—	—	1,193 00
Robert W. Carpenter,	Foxborough,	"	98 55	152 99	21 60	—	—	—	25	112 00	734 98
George W. Wiggin,	Franklin,	"	112 45	209 20	1 20	\$10 00	6 00	—	—	67 21	633 57
Henry B. Terry,	Hyde Park,	"	391 10	517 43	24 70	—	—	—	—	149 50	1,638 23
Emery Grover,	Needham,	"	186 50	214 33	43 90	—	1 00	2 00	—	26 11	1,077 68
John C. Lane,	Norwood,	"	81 89	135 77	33 95	—	1 50	—	—	—	481 58
Oscar A. Marden,	Stoughton,	"	382 55	794 78	25 00	—	2 25	31 00	—	89 91	2,061 79
Charles E. Washburne,	Wellesley,	"	59 95	119 35	21 00	—	6 25	—	—	16 40	662 92
Peter Daley,	Walpole,	"	72 46	36 59	20 10	—	—	—	—	90 37	281 50
Samuel Warner,	Wrentham,	"	248 61	431 60	101 10	—	—	—	—	74 36	1,261 96
Charles H. Follansby,	Barre,	Worcester,	14 20	4 40	—	—	—	—	—	—	41 36
George S. Duell,	Brookfield,	"	250 75	2 86	62 60	—	30 25	—	—	1 20	1,821 88
Henry A. Farwell,	Hubbardston,	"	—	—	—	—	—	3 75	—	—	6 75
Chamney W. Carter,	Leominster,	"	58 10	—	27 20	—	—	—	—	—	299 71
Hamilton Mayo,	Leominster,	"	90 00	—	37 65	—	—	—	20	—	291 81
Sylvander Bothwell,	No. Brookfield,	"	48 16	44 58	35 36	—	—	—	—	29 00	912 30
Luther Hill,	Spencer,	"	206 55	404 07	139 90	—	10 00	—	—	—	3,966 29
John W. Tyler,	Warren,	"	77 30	—	35 70	—	—	—	169 87	—	1,052 06
Horace W. Bush,	W. Brookfield,	"	78 05	61 24	25 10	—	—	—	—	—	652 97
Frank B. Spalter,	Winchendon,	"	117 85	—	175 00	—	—	—	1 60	—	685 34
			\$7,617 28	\$7,075 98	\$1,979 28	\$97 40	\$153 67	\$244 42	\$265 71	\$1,746 41	\$42,726 27

TABLE No. 6. — *Returns of Trial Justices for the Year Ending Dec. 31, 1890* — Continued.

EXPENDITURES.

	PAID COUNTY TREASURER.		Paid City or Town Treasurer.	Paid Officers.	Paid Witnesses.	Paid Complaints or Informants.	Paid Other Persons.	Fees retained for own Use.	CASH BALANCE TO BE PAID.			Total Expenditures.
	Fines.	Unclaimed Fees.							Officers.	Witnesses.	County, City, or Town.	
Smith K. Hopkins, Barnstable, . . .	-	\$0 45	-	\$179 06	\$92 70	-	-	\$181 90	-	\$0 50	\$7 05	\$461 16
George Godfrey, Chatham, . . .	-	28 80	-	21 37	-	-	-	27 85	-	-	-	78 62
Shubael B. Kelley, Harwichport, . .	-	-	-	11 23	-	-	-	12 05	-	-	-	23 28
Theodore F. Bassett, Hyannis, . . .	\$5 00	1 41	-	53 43	60	-	-	37 45	-	-	-	97 89
Edmezer S. Whittemore, Sandwich, .	10 00	-	-	64 87	37 73	-	-	49 44	-	-	-	162 04
George T. Wyer, Wellfleet, . . .	60 28	-	-	38 14	9 60	\$57 40	-	-	-	-	-	165 42
George A. Shepard, Sandwich, . . .	-	-	-	-	3 30	-	-	5 34	-	-	-	8 64
Henry J. Dunham, Stockbridge, . . .	29 00	-	-	34 45	1 40	-	-	51 70	1 00	-	-	117 55
Wm. C. Spaulding, West Stockbridge, .	3 00	-	\$10 00	26 16	38 50	-	\$5 00	47 05	6 00	-	-	135 71
Beriah T. Hillman, Chilmark, . . .	8 00	32 00	-	79 16	44 80	-	-	37 10	-	-	-	201 06
Charles J. Melville, Edgartown, . . .	82 00	-	6 00	327 00	89 30	-	100 00	150 83	-	-	-	755 13
George H. Poor, Andover, . . .	57 52	-	7 53	56 13	32 10	-	-	142 83	-	10 70	6 33	392 46
Orlando B. Tenney, Georgetown, . .	66 00	3 00	15 00	68 44	17 70	-	-	91 55	-	-	37 45	309 84
Charles A. Sayward, Ipswich, . . .	154 00	-	8 00	71 74	29 01	-	-	113 60	-	-	21 29	337 64
Stephen Gilman, Lynnfield, . . .	5 00	-	-	-	4 80	-	50	4 75	-	-	-	15 05
William C. Fabens, Marblehead, . . .	395 00	-	16 50	115 03	82 10	-	1 00	210 00	\$6 46	19 20	27 00	872 29
William Nutting, Jr., Marblehead, . .	197 00	-	23 50	45 02	48 00	-	-	108 40	3 07	4 43	118 00	547 42
William M. Rogers, Methuen, . . .	48 02	60	6 00	59 23	39 65	5 00	-	200 36	-	3 70	9 68	372 24
Joseph T. Wilson, Nahant, . . .	20 00	1 10	-	8 70	20 80	15 00	-	8 80	-	-	-	74 40
Amos Merrill, Peabody, . . .	643 00	-	320 89	11 52	70 75	-	-	1,064 60	-	-	185 27	2,296 03
J. Scott Todd, Rowley, . . .	29 00	-	-	20 78	51 00	-	-	68 15	-	-	-	168 93
Henry W. Billings, Conway, . . .	5 00	-	-	3 90	3 60	-	-	4 70	-	-	30	17 50
Dexter F. Hager, Deerfield, . . .	10 00	-	-	39 77	78 30	41 00	-	92 74	-	-	-	261 81
Frederick L. Greene, Greenfield, . .	202 60	26 50	13 94	103 35	130 80	-	30	486 26	4 08	3 90	21 40	993 13
Dana Malone, Greenfield, . . .	237 00	-	-	88 35	111 80	-	-	243 16	-	-	-	680 31
Erastus F. Gunn, Montague, . . .	3 00	-	-	27 71	62 10	-	-	120 80	-	-	-	213 61
Charles Fomeroy, Northfield, . . .	3 00	-	-	8 04	4 20	-	-	17 42	92	-	-	33 58
Rufus D. Chase, Orange, . . .	48 00	-	-	38 25	53 10	-	-	52 15	-	-	-	191 50
Vanah M. Porter, Rowe, . . .	3 80	-	-	8 10	7 70	-	-	8 67	-	-	-	28 27
Samuel D. Bardwell, Shelburne Falls, .	6 00	-	-	39 85	46 60	-	-	152 60	-	30 70	-	275 75
William S. Dana, Turner's Falls, . . .	260 70	-	-	199 29	179 70	-	-	450 41	-	-	14 94	1,105 04

TABLE No. 6. — Returns of Trial Justices for the Year ending Dec. 31, 1890 — Concluded.

EXPENDITURES.

	PAID COUNTY TREASURER.		PAID OFFICERS.	PAID WITNESSES.	PAID COMPLAINTS OR INFORMANTS.	PAID OTHER PERSONS.	FEES RETAINED FOR OWN USE.	CASH BALANCE TO BE PAID.			Total Expenditures.
	Fines.	Unclaimed Fees.						Officers.	Witnesses.	County, City, or Town.	
Charles F. Grosvenor, Ludlow.	\$12 20	-	\$30 95	\$3 10	-	-	\$38 45	-	-	-	\$84 70
George L. Hemenway, Hopkinton.	342 00	-	426 13	108 40	\$25 00	-	359 45	-	-	\$47 04	1,308 02
William Nutt, Natick.	435 70	-	1,030 05	130 60	10 00	-	1,057 20	-	-	-	2,665 55
James T. Joslin, Hudson.	283 60	-	606 72	167 65	20 00	\$1 00	458 75	-	-	-	1,557 72
Thomas B. Field, Nantucket.	16 00	-	44 75	49 20	-	-	52 60	-	-	5 20	107 75
Allen Coffin, Nantucket.	8 00	-	132 21	49 45	-	-	96 75	-	\$1 80	-	288 21
Nathan A. Cook, Bellingham.	6 00	-	151 58	30 30	-	-	89 00	-	-	-	276 88
Alonzo E. Grover, Canton.	111 98	-	2,270 61	71 42	20 00	6 15	1,540 98	\$274 35	-	21 77	4,317 26
Thomas E. Wentworth, Dedham.	275 00	-	189 07	23 40	-	-	240 00	41 26	-	10 00	939 20
Robert W. Carpenter, Foxborough.	116 01	-	146 84	128 60	-	-	478 00	-	-	151 26	1,193 00
George W. Wiggins, Franklin.	141 34	-	209 96	57 60	20 00	-	173 75	44 67	-	87 66	734 98
Henry B. Terry, Hyde Park.	125 00	\$1 80	237 24	29 45	5 00	-	164 90	38 38	5 80	25 00	633 57
Emery Grover, Needham.	243 00	-	695 53	35 40	-	-	650 90	-	-	13 40	1,638 23
John C. Lane, Norwood.	133 00	-	406 82	104 80	-	-	320 85	7 11	-	103 10	1,077 68
Oscar A. Marden, Stoughton.	131 00	-	173 29	42 65	-	-	134 64	-	-	-	481 58
Charles E. Washburne, Wellesley.	25 60	-	1,082 19	198 90	-	-	651 95	53 75	-	49 40	2,061 79
Peter Daley, Walpole.	18 00	-	347 12	47 70	-	-	200 10	-	-	1 00	662 92
Samuel Warner, Wrentham.	13 00	-	166 56	23 88	-	-	69 90	4 38	3 78	-	281 50
Charles H. Follansby, Barre.	214 00	-	548 43	138 55	-	-	360 98	-	-	-	1,261 96
George S. Duell, Brookfield.	-	-	10 46	5 00	-	-	20 90	-	-	5 00	41 36
Henry A. Farwell, Hubbardston.	609 00	2 40	486 68	92 90	-	-	630 90	-	-	-	1,821 88
Chauncey W. Carter, Leominster.	-	-	70 66	39 95	-	-	6 75	-	-	-	6 75
Hamilton Mayo, Leominster.	49 00	-	57 16	37 35	-	8 30	140 10	-	-	-	299 71
Sylvander Bothwell, North Brookfield.	39 00	-	194 70	49 30	-	-	203 30	-	-	-	291 81
Luther Hill, Spencer.	295 00	-	1,270 46	250 80	7 50	-	837 03	-	-	170 00	912 30
John W. Tyler, Warren.	1,600 50	-	225 71	80 80	8 50	-	369 55	-	-	-	3,906 29
Horace W. Bush, West Brookfield.	416 50	-	239 47	63 20	-	-	188 30	-	-	-	1,052 06
Frank B. Spalter, Winchendon.	162 00	-	76 84	171 90	-	-	209 80	-	28 80	-	652 97
	198 00	-									685 34
	\$8,611 35	\$98 06	\$13,376 26	\$3,623 99	\$234 40	\$122 25	\$14,078 56	\$478 43	\$119 31	\$1,141 54	\$42,726 27

TABLE No. 7. — *Returns of Sheriffs for the Year ending Dec. 31, 1890.*

RECEIPTS.

SHERIFFS.	County.	From Defendants. Fines and Costs.	From Defendants. Forfeitures.	From County Treasurer. Salary.	From County Treasurer.	From Other Parties.	Balance Jan. 1, 1890.	Total Receipts.
Joseph Whitcomb,	Barnstable, .	\$61 28	-	\$500 00	\$70 00	-	-	\$631 28
John Crosby,	Berkshire, .	1,116 82	-	1,600 00	100 00	-	-	2,816 82
Andrew R. Wright,	Bristol, . .	2,806 36	\$1,009 13	1,500 00	1,091 30	-	\$512 54	6,919 33
Jason L. Dexter,	Dukes County, .	135 45	-	325 00	396 97	-	-	857 42
Horatio G. Herrick,	Essex, . .	4,530 56	22 15	2,000 00	190 46	-	-	6,743 17
George A. Kimball,	Franklin, . .	235 25	-	800 00	52 31	-	-	1,087 56
Simon Brooks,	Hampden, .	1,599 06	788 22	1,500 00	58 08	-	-	3,945 36
Jairus E. Clark,	Hampshire, .	563 79	-	800 00	160 07	-	-	1,523 86
Henry G. Cushing,	Middlesex, .	22,734 12	-	2,500 00	150 00	-	-	25,384 12
Josiah F. Barrett,	Nantucket, .	48 96	-	300 00	110 33	\$42 48	-	501 77
Augustus B. Endicott,	Norfolk, . .	1,776 84	106 65	1,200 00	3,064 12	-	-	6,147 61
Alpheus K. Harmon,	Plymouth, .	1,672 87	-	900 00	-	-	-	2,572 87
John B. O'Brien,	Suffolk, . .	23,499 95	-	3,000 00	58 50	495 28	-	27,053 73
Samuel D. Nye,	Worcester, .	6,812 78	-	2,500 00	215 52	-	-	9,528 30
		\$67,594 09	\$1,926 15	\$19,425 00	\$5,717 66	\$537 76	\$512 54	\$95,713 20

TABLE No. 7. — *Returns of Sheriffs for the Year ending Dec. 31, 1890* — Concluded.

EXPENDITURES.

SHERIFFS.	County.	Paid County Treasurer.	Paid Officers.	Paid Other Persons.	Retained for Salary.	Retained Fees.	Balance Jan. 1, 1890.	Total Expendi- tures.
Joseph Whitcomb,	Barnstable, .	\$61 28	-	\$70 00	\$500 00	-	-	\$631 28
John Crosby,	Berkshire, .	1,116 82	-	-	1,600 00	\$100 00	-	2,816 82
Andrew R. Wright,	Bristol, .	4,313 52	\$961 30	130 00	1,500 00	-	\$14 51	6,919 33
Jason L. Dexter,	Dukes County, .	135 45	-	124 91	325 00	272 06	-	857 42
Horatio G. Herrick,	Essex, .	4,552 71	-	190 46	2,000 00	-	-	6,743 17
George A. Kimball,	Franklin, .	235 25	-	52 31	800 00	-	-	1,087 56
Simon Brooks,	Hampden, .	2,387 28	-	58 08	1,500 00	-	-	3,945 36
Jairus E. Clark,	Hampshire, .	563 79	-	130 07	800 00	30 00	-	1,523 86
Henry G. Cushing,	Middlesex, .	22,734 12	-	150 00	2,500 00	-	-	25,384 12
Josiah F. Barrett,	Nantucket, .	48 96	21 17	89 16	300 00	42 48	-	501 77
Augustus B. Endicott,	Norfolk, .	1,883 49	2,782 50	281 62	1,200 00	-	-	6,147 61
Alpheus K. Harmon,	Plymouth, .	1,672 87	-	-	900 00	-	-	2,572 87
John B. O'Brien,	Suffolk, .	23,950 23	-	103 50	3,000 00	-	-	27,053 73
Samuel D. Nye,	Worcester, .	6,812 78	-	215 52	2,500 00	-	-	9,528 30
		\$70,468 55	\$3,764 97	\$1,595 63	\$19,425 00	\$144 54	\$14 51	\$95,713 20

TABLE No. 8. — *Returns of Keepers of Jails and Masters of Houses of Correction for the Year ending Dec. 31, 1890.*

RECEIPTS.

KEEPER OR MASTER.	From De- fendants, Fines and Costs.	For Board of Prisoners.	For Labor of Prisoners.	Sales of Ma- terials, etc.	Salary from County Treasurer.	From County Treasurer.	From all Other Sources.	Forfeit- ures.	Balance Jan. 1, 1890.	Total Receipts.
Simeon F. Letteney, Barnstable,	\$452 75	\$85 08	\$37 85	\$148 19	\$350 00	-	-	-	-	\$1,073 87
John Crosby, Pittsfield,	931 83	4 00	1,339 23	24 03	1,000 00	-	-	-	-	3,299 09
Andrew R. Wright, Taunton,	2,235 98	3 50	149 01	-	800 00	\$208 46	-	\$100 00	\$303 05	3,800 00
Josiah A. Hunt, New Bedford,	4,882 82	1 75	4,747 55	27,702 80	1,200 00	634 74	\$30 24	-	3,186 83	42,366 73
Hiram Crowell, Edgartown,	-	310 00	-	-	200 00	-	-	-	-	510 00
Charles W. Morrill, Ipswich,	945 09	-	3,000 00	326 78	1,200 00	-	-	-	1,197 85	6,069 72*
Horatio G. Herrick, Lawrence,	2,564 72	109 50	4,802 64	368 84	1,000 00	337 75	-	-	-	11,879 78
Charles L. Ayers, Newburyport,	449 86	-	-	-	870 00	-	-	-	108 83	1,428 69
Samuel R. Hathaway, Salem,	3,129 84	112 65	3,702 99	105 60	1,200 00	378 29	821 00	-	2,315 34	11,765 71
N. D. Allen, Greenfield,	260 25	-	1,007 21	84 83	700 00	-	-	-	-	2,052 20
Simon Brooks, Springfield,	2,884 09	75	4,887 03	86 01	1,000 00	-	110 00	-	-	8,967 88
Jairus E. Clark, Northampton,	725 89	3 00	1,401 58	174 54	1,000 00	-	192 00	-	-	3,497 01
Henry G. Cushing, Lowell,	2,758 81	1 75	10 97	10 97	1,000 00	4,126 38	-	-	3 50	7,901 41
John M. Fiske, Cambridge,	9,727 66	1,304 83	68,181 98	1,449 51	2,500 00	-	1,500 00	-	-	84,663 98
Frederick F. Parker, Nantucket,	-	-	903 31	-	45 84	313 44	-	-	-	359 28
Augustus B. Endicott, Dedham,	2,731 04	36 99	-	103 60	1,000 00	-	-	-	-	4,774 94
Alpheus K. Harmon, Plymouth,	2,608 14	-	-	-	750 00	-	-	-	-	3,358 14
John B. O'Brien, Boston,	4,794 31	675 72	-	60 02	1,000 00	-	-	-	-	6,530 05
B. D. Dwinell, Fitchburg,	2,520 56	-	4,553 69	1,002 61	1,400 00	-	-	-	-	9,536 86
Robert H. Chamberlain, Worcester,	6,624 75	139 38	2,559 58	117 06	1,400 00	-	-	-	-	10,640 77
	\$51,208 39	\$2,788 90	\$101,073 65	\$31,825 39	\$19,615 84	\$6,019 06	\$2,653 24	\$100 00	\$7,175 40	\$225,136 20

TABLE No. 8. — *Returns of Keepers of Jails and Masters of Houses of Correction for the Year ending Dec. 31, 1890* —

Concluded.

EXPENDITURES.

KEEPER OR MASTER.	To County Treasurer.	Materials and Supplies.	Incidental Expenses.	Retained for Salary.	Retained for Board of Prisoners.	Balance on Hand Dec. 31, 1890.	Total Expenditures.
Simeon F. Letteney, Barnstable,	\$716 62	-	\$7 25	\$350 00	-	-	\$1,073 87
John Crosby, Pittsfield,	2,299 09	-	-	1,000 00	-	-	3,299 09
Andrew R. Wright, Taunton,	2,069 77	\$44 16	264 30	800 00	-	\$681 77	3,860 00
Josiah A. Hunt, New Bedford,	35,353 92	543 75	136 23	1,200 00	-	5,132 82	42,366 73
Hiram Crowell, Edgartown,	-	-	-	200 00	\$310 00	-	510 00
Charles W. Morrill, Ipswich,	5,469 72	-	-	1,200 00	-	-	6,669 72
Horatio G. Herrick, Lawrence,	9,207 67	-	357 75	1,000 00	-	1,314 36	11,879 78
Charles L. Ayers, Newburyport,	448 85	-	-	870 00	-	109 84	1,428 69
Samuel R. Hathaway, Salem,	8,411 21	-	378 29	1,200 00	-	1,776 21	11,765 71
N. D. Allen, Greenfield,	1,352 29	-	-	700 00	-	-	2,052 29
Simon Brooks, Springfield,	7,967 88	-	-	1,000 00	-	-	8,967 88
Jairus E. Clark, Northampton,	2,497 01	-	-	1,000 00	-	-	3,497 01
Henry G. Cushing, Lowell,	2,775 03	4,126 38	-	1,000 00	-	-	7,901 41
John M. Fiske, Cambridge,	82,108 98	-	55 00	2,500 00	-	-	84,663 98
Frederick F. Parker, Nantucket,	-	304 64	8 80	45 84	-	-	359 28
Augustus B. Endicott, Dedham,	3,774 94	-	-	1,000 00	-	-	4,774 94
Alpheus K. Harmon, Plymouth,	2,608 14	-	-	750 00	-	-	3,358 14
John B. O'Brien, Boston,	5,445 05	-	85 00	1,000 00	-	-	6,530 05
B. D. Dwinell, Fitchburg,	8,136 86	-	-	1,400 00	-	-	9,536 86
Robert H. Chamberlain, Worcester,	9,240 77	-	-	1,400 00	-	-	10,640 77
	\$130,883 81	\$5,018 93	\$1,292 62	\$9,615 84	\$310 00	\$9,015 00	\$225,136 20

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